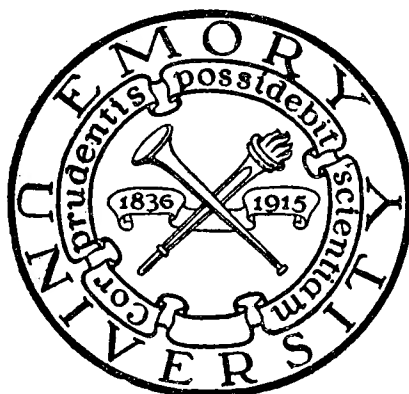




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JOURNAL
OF
THE SENATE
OF THE
STATE OF GEORGIA
REGULAR SESSION
AT ATLANTA, WEDNESDAY, JUNE 27, 1917.



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JOURNAL

SENATE CHAMBER, ATLANTA, GA.

Wednesday, June 27, 1917.

The Senators-elect for the years 1917 and 1918 met at 10 o'clock A. M. this day in the Senate Chamber, and were called to order by Hon. Devereaux F McClatchey, Secretary of the last Senate.

Prayer was offered by Rev. J. W. G. Watkins, of College Park.

The Secretary of State submitted to the Secretary of the Senate the certified list of Senators-elect; the following is the list:

NAMES OF MEMBERS-ELECT
OF THE
SENATE OF GEORGIA FOR SESSION OF
1917-1918.

District	Name of Senator
1st	J. P. Dukes.
2nd	H. H. Elders.
3rd	J. B. Moore.
4th	S. C. Townsend.
5th	R. G. Dickerson.
6th	W. H. Hendricks.
7th	H. W. Hopkins.
8th	H. H. Merry.
9th	J. C. Odom.

District.	Name of Senator.
10th	Sol J. Yeoman.
11th	Joe B. Mills.
12th	R. T. Humber, Jr.
13th	M. B. Council.
14th	J. R. Dykes.
15th	D. Roscoe Peacock.
16th	M. T. Riner.
17th	E. V. Heath.
18th	Sam Olive.
19th	James Davison.
20th	George Gilmore.
21st	Geo. H. Carswell.
22nd	J. C. Beauchamp.
23rd	W F Weaver.
24th	Ed Wohlwender.
25th	R. Leonard.
26th	C. D. Redwine.
27th	H. H. Price.
28th	H. R. DeJarnette.
29th	Boyce Ficklen, Sr.
30th	C. O. Stevens.
31st	A. A. McCurry.
32nd	Chas. H. Edwards.
33rd	J B. G. Logan.
34th	Alonzo Field.
35th	Walter P Andrews.
36th	J. T. Kirby.
37th	Frank S. Loftin.
38th	I. F Mundy.
39th	Floyd M. Blackwell.
40th	T. L. Bynum.
41st	T. A. Brown.
42nd	R. A. Denny.
43rd	E. H. Beck.
44th	W C. Hullender.

I, Philip Cook, Secretary of State of Georgia, hereby certify that the above list is a true copy of the name of the members of Senate of Georgia, session 1917-1918, as the same appear on election returns dated November 7th, 1916, of file in this office.

June 27, 1917

PHILIP COOK,
Secretary of State.

The foregoing official list was called to ascertain the presence of a quorum, a quorum being present, the Senators-elect presented themselves at the Secretary's desk and took the prescribed oath of office, the same being administered by Hon. Roscoe Luke, Justice of the Court of Appeals.

The Secretary then announced that the next business in order was the election of a President of the body.

Senator Stevens placed in nomination Hon. Sam L. Olive, of the 18th District, as President of the Senate.

There being no other nomination the roll was called for the election of a President of the Senate and the vote was as follows:

Those voting for Mr. Olive were Messrs.—

Andrews, W. P.	DeJarnette, H. R.	Gilmore, George.
Beauchamp, J. C.	Denny, R. A.	Heath, E. V.
Beck, E. H.	Dickerson, R. G.	Hendricks, W. H.
Blackwell, F. M.	Dukes, J. P.	Hopkins, H. W.
Brown, T. A.	Dykes, J. R.	Hullender, W. C.
Bynum, T. L.	Edwards, Chas. H.	Kumber, R. T., Jr.
Carswell, Geo. H.	Elders, H. H.	Leonard, R.
Council, M. B.	Ficklen, Boyce.	Kirby, J. T.
Davison, James.	Field, Alonzo.	Loftin, Frank S.

McCurry, A. A.	Odom, J. C.	Stevens, C. O.
Merry, H. H.	Peacock, D. Roscoe.	Townsend, S. C.
Mills, Joe Brown.	Price, H. H.	Weaver, W. F.
Moore, J. B.	Redwine, C. D.	Wohlwender, Ed.
Mundy, I. F.	Riuer, M. T.	Yeoman, Sol. J.

Those voting for Mr. Hopkins were: Mr. Olive.

Upon casting up the vote, it appeared that the Hon. Sam L. Olive had received 42 votes and Hon. H. W Hopkins received 1 vote.

Hon. Sam L. Olive having received a majority of the votes cast was duly declared elected President of the Senate, for the ensuing term.

A Committee consisting of Senators Heath, Yeoman and Stevens was appointed to conduct Hon. Sam L. Olive, President-elect, to the chair.

After a brief address thanking the Senate for the honor conferred upon him, the President announced the election of a Secretary of the Senate, as the next order of business whereupon Senator Andrews placed in nomination Hon. Devereaux F McClatchey of the County of Fulton as Secretary for the ensuing two years. The nomination was seconded by Senator Heath.

There being no other nomination the roll was called and the vote was as follows:

Those voting for Mr. McClatchey were Messrs.—

Andrews, W. P.	DeJarnette, H. R.	Gilmore, George.
Beauchamp, J. C.	Denay, R. A.	Heath, E. V.
Beck, E. H.	Dickerson, R. G.	Hendricks, W. H.
Blackwell, F. M.	Dukes, J. P.	Hopkins, H. W.
Picwn, T. A.	Dykes, J. R.	Hullender, W. C.
Fynum, T. L.	Edwards, Chas. H.	Humber, R. T., Jr.
Carswell, Geo. H.	Elders, H. H.	Kirby, J. T.
Council, M. B.	Ficklen, Boyce.	Leonard, R.
Davison, James.	Field, Alonzo.	Loftin, Frank S.

Logan, J. B. G.	Odom, J. C.	Townsend, S. C.
McCurry, A. A.	Teacock, D. Roscoe.	Weaver, W. F.
Merry, H. H.	Price, H. H.	Wohlwender, Ed.
Mills, Joe Brown.	Redwine, C. D.	Yeoman, Sol. J.
Moore, J. B.	Riner, M. T.	Mr. President.
Mundy, I. F.	Stevens, C. O.	

Upon casting up the vote it appeared that Hon. Devereaux F McClatchey had received 44 votes, which was all the votes cast, and was declared duly elected Secretary of the Senate for the ensuing two years.

The following resolution was read, to-wit:

By Mr. Carswell—

That the rules of the 1915 and 1916 Sessions of the Senate be and they are hereby adopted as the rules of the Senate for the years 1917 and 1918.

The following substitute to the resolution was read and lost, to-wit:

By Mr. Hopkins—

That a committee of five be appointed by the chair who shall report not later than the fifth day of the present session rules for the government of the Senate.

Further that until said report is made and adopted the Senate act under the rules of the last Senate.

The following substitute to the resolution was read and adopted, to-wit

By Mr. Andrews—

That the rules of the Senate of 1916 and 1916 be adopted as the rules of the present Senate until

changed as hereafter may be provided in said rules.

The next order of business was the election of a Messenger of the Senate.

Senator Carswell nominated Mr. C. M. Hooks, of the County of Monroe.

Senator Dickerson nominated Mr. Flynn Hargett, of the County of Fulton.

There being no other nominations the roll was called and the vote was as follows:

Those voting for Mr. Hooks were Messrs.—

Andrews, W. P.	Field, Alonzo.	Moore, J. B.
Beauchamp, J. C.	Gilmore, George.	Mundy, I. F.
Beck, E. H.	Heath, E. V.	Odom, J. C.
Blackwell, F. M.	Hendricks, W. H.	Olive, Sam L.
Brown, T. A.	Hopkins, H. W.	Peacock, D. Roscoe.
Bynum, T. L.	Hullender, W. C.	Price, H. H.
Carswell, Geo. H.	Humber, R. T., Jr.	Redwine, C. D.
Council, M. B.	Kirby, J. T.	Riner, M. T.
Davison, James.	Leonard, R.	Stevens, C. O.
Denny, R. A.	Loftin, Frank S.	Townsend, S. C.
Dukes, J. P.	Logan, J. B. G.	Weaver, W. F.
Dykes, J. R.	McCurry, A. A.	Wohlwendter, Ed.
Edwards, Chas. H.	Merry, H. H.	Yeoman, Sol. J.
Elders, H. H.	Mills, Joe Brown.	Mr. President.
Ficklen, Boyce.		

Those voting for Mr. Hargett were Messrs.—

DeJarnette, H. R. Dickerson, R. G.

During the call of the roll Mr. Dickerson withdrew the name of Mr. Flynn Hargett.

Upon casting up the vote, it appeared that Mr. C. M. Hooks had received 39 votes and Mr. Flynn Hargett had received 2 votes.

Mr. C. M. Hooks having received a majority of the votes cast was declared duly elected as Messenger of the Senate for the ensuing term.

The next order of business was the election of a President pro tem. of the Senate.

Senator Heath placed in nomination Hon. D. Roscoe Peacock, of the 15th District, as President pro tem. of the Senate.

There being no other nomination the roll was called and the vote was as follows:

Those voting for Mr. Peacock were Messrs.—

Andrews, W. P.	Elders, H. H.	Merry, H. H.
Beauchamp, J. C.	Ficklen, Boyce.	Mills, Joe Brown.
Blackwell, F. M.	Field, Alonzo.	Moore, J. B.
Brown, T. A.	Gilmore, George.	Mundy, I. F.
Pynum, T. L.	Heath, E. V.	Odom, J. C.
Carswell, Geo. H.	Hendricks, W. H.	Price, H. H.
Council, M. B.	Hopkins, H. W.	Redwine, C. D.
Davison, James.	Hullender, W. C.	Riner, M. T.
DeJarnette, H. R.	Humber, R. T., Jr.	Stevens, C. O.
Denny, R. A.	Kirby, J. T.	Townsend, S. C.
Dickerson, R. G.	Leonard, R.	Weaver, W. F.
Dukes, J. P.	Loftin, Frank S.	Wohlwender, Ed.
Dykes, J. R.	Logan, J. B. G.	Yeoman, Sol. J.
Edwards, Chas. H.	McCurry, A. A.	Mr. President.

Upon casting up the vote it appeared that Hon. D. Roscoe Peacock had received 42 votes, which was all the votes cast, and was declared duly elected President pro tem. of the Senate for the ensuing term.

The next order of business was election of a Door Keeper, of the Senate.

Mr. McCurry placed in nomination Mr. Basil Lanneau, of the County of Franklin.

Mr. Kirby placed in nomination Mr. I. J. Stephens, of the County of Coweta.

Upon the call of the Roll the vote was as follows:

Those voting for Mr. Stephens were Messrs.—

Beauchamp, J. C.	Field, Alonzo.	Moore, J. B.
Beck, E. H.	Gilmore, George.	Mundy, I. F.
Blackwell, F. M.	Heath, E. V.	Odom, J. C.
Brown, T. A.	Hendricks, W. H.	Olive, Sam L.
Carswell, Geo. H.	Hopkins, H. W.	Peacock, D. Roscoe.
Council, M. B.	Hullender, W. C.	Price, H. H.
Davison, James.	Humber, R. T., Jr.	Redwine, C. D.
DeJarnette, H. R.	Kirby, J. T.	Riner, M. T.
Denny, R. A.	Leonard, R.	Stevens, C. O.
Dickerson, R. G.	Loflin, Frank S.	Townsend, S. C.
Dukes, J. P.	Logan, J. B. G.	Weaver, W. F.
Dykes, J. R.	Merry, H. H.	Wohlwender, Ed.
Edwards, Chas. H.	Mills, Joe Erown.	Yeoman, Sol. J.
Elders, H. H.		

Those voting for Mr. Lanneau were Messrs.—

Andrews, W. P.	Eynum, T. L.	Ficklen, Boyce.
McCurry, A. A.		

Upon casting up the vote, it appeared that Mr. Stephens received 39 votes and Mr. Lanneau received 4 votes.

Mr. Stephens having received a majority of the votes cast was declared elected Door Keeper of the Senate for the ensuing term.

The following resolution was read and adopted, to-wit:

By Mr. Andrews—

That the Secretary of the Senate be and he is hereby instructed to notify the House, that the Senate has organized by the election of Hon. Sam L.

Olive of the 18th District as President of the Senate, and Hon. Devereaux F McClatchey, of the County of Fulton, as Secretary of the Senate, for the ensuing two years and is ready for the transaction of business.

The following joint resolution was read and adopted, to-wit:

By Mr. Hopkins—

That a joint committee of two from the Senate and three from the House of Representatives be appointed by the presiding officers of their respective branches, to wait upon His Excellency the Governor, and inform him that the General Assembly has met and organized and is ready for the transaction of business.

The committee on part of the Senate are Messrs. Hopkins and DeJarnettè.

The following joint resolution was read and adopted, to-wit:

By Mr. Andrews—

That the General Assembly convene in joint session tomorrow, June 28, 1917, at 11 o'clock A. M., for the purpose of canvassing the vote for Governor and State House officers and declaring the result.

The following resolution was read and adopted, to-wit:

By Mr. Hopkins—

That a committee of three be appointed by the President to report to the Senate the name of a suit-

able person for the position of Chaplain of the Senate for the years 1917 and 1918.

The following committee was appointed under the provisions of the above resolution:

Messrs. Hopkins, Brown and Carswell.

This committee reported that they had selected the Rev. J. W. G. Watkins, as Chaplain of the Senate for the years 1917 and 1918. The report was adopted.

The following resolutions were read and adopted, to wit:

By Mr. Andrews—

Resolved by the Senate, That we have learned with deep sorrow of the untimely death of the Hon. James R. Gray, Editor of the Atlanta Journal, whose passing removes from the field of Southern journalism one of its ablest and most conscientious leaders, and from the midst of thousands of friends in Georgia, one of their truest and best co-workers in the cause of the people and the progress of this State;

Resolved further, That we shall cherish his memory as one who measured up in a splendid way to the high duties of citizenship, of whom it may be truly said now that he has laid down the burdens of life and passed onward, “Well done, thou good and faithful servant;”

Resolved further, That we tender to his bereaved widow and family our heartfelt sympathies, and that a copy of these resolutions be sent to them.

At 12:50 o'clock P. M. the Senate, upon motion of Mr. Kirby, took a recess until 3 o'clock P. M.

The Senate reconvened at 3 o'clock P. M., and was called to order by Hon. D. Roscoe Peacock, President pro tem.

By unanimous consent the call of the Roll was dispensed with.

Upon motion of Mr. Hopkins the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.

Thursday, June 28th, 1917

The Senate met pursuant to adjournment at 10 o'clock A. M., and was called to order by the President.

Prayer was offered by Rev. J W G. Watkins, Chaplain of the Senate.

Upon the call of the roll the following Senators answered to their names:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Bynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riser, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loftin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	McCurry, A. A.	Mr. President.
Edwards, Chas. H.	Merry, H. H.	!

Mr. Hopkins gave notice that at the proper time he would move to reconsider the joint resolution adopted on yesterday. providing for a joint session of the General Assembly, June 28, 1917, at 11 o'clock A. M.

The Journal of yesterday's session was read and confirmed.

Mr. Hopkins moved that the Senate reconsider its

action of yesterday, in adopting the following resolution of the Senate, to-wit:

A resolution providing for a joint session of the General Assembly, on June 28, 1917, at 11 o'clock A. M., for the purpose of canvassing the vote for Governor and State House officers and declaring the result.

The motion prevailed and the resolution was reconsidered.

The following resolution just reconsidered was taken up, to-wit:

By Mr. Andrews—

A resolution providing that the General Assembly meet in joint session June 28, 1917, at 11 o'clock A. M., for the purpose of canvassing the vote for Governor and State House officers.

Mr. Andrews offered the following, as a substitute to the above resolution, to-wit:

A resolution providing for a joint session of the Senate and House, to be held in the Hall of the House of Representatives, on Friday, June 29th, 1917, at 11 o'clock A. M., for the purpose of consolidating the vote for Governor and State House officers.

The substitute was adopted.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

I am instructed by the House to inform the Senate

that the House has been organized by the election of Hon. John N. Holder, of Jackson County, for Speaker, and by the election of Hon. E. B. Moore, of DeKalb County, for Clerk, and is now ready for the transaction of business.

· The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has adopted the following resolution of the Senate, to-wit:

A resolution providing for a Joint Committee of the House and Senate to inform the Governor that the General Assembly has convened, has been organized and is now ready for the transaction of business.

The Speaker appointed the following members as the Committee of the House: Mr. Hall, of Bibb; Mr. Pace, of Sumter, and Mr. Jones, of Coweta.

The following Senate Bills were read the first time, to-wit:

By Messrs. Andrews, Mundy, Beck and Dukes—

A bill to amend an Act to create the Department of Commerce and Labor, in reference to emigrant agents.

Referred to Committee on Commerce and Labor.

By Messrs. Andrews and Price—

A bill to amend an Act to establish the Georgia School of Technology.

Referred to Committee on University of Georgia.

By Mr. Loftin—

A bill to amend the Constitution by repealing paragraph 16 of Section 7 of Article 3 of the Constitution, in reference to introduction of local and special bills.

Referred to Committee on Constitutional Amendments.

By Mr. Elders—

A bill to provide for the registration of land titles.

Referred to Committee on General Judiciary.

By Mr. Wohlwender—

A bill to repeal an Act to require State House and county officers who receive fees to keep a daily account of the same.

Referred to Committee on Finance.

By Mr. Elders—

A bill to regulate the issuance of marriage licenses.

Referred to Committee on General Judiciary

By Mr. Beck—

A bill to empower the State Superintendent of Schools, Attorney-General, and the Chairmen of the Senate and House Committees on Education to codify the school law.

Referred to Committee on Education.

By Mr. Wohlwender—

A bill to amend an Act to amend Section 5298 of

the Civil Code of 1910, in reference to garnishments.

Referred to Committee on General Judiciary

By Mr. Edwards—

A bill to create a Board of Commissioners of Roads and Revenues for the County of White.

Referred to Special Judiciary Committee.

By Mr. Ficklen—

A bill to allow a qualified voter to register and vote in a district other than the one in which he resides.

Referred to General Judiciary Committee.

By Mr. Edwards—

A bill to fix the county in which suits may be brought against domestic corporations.

Referred to General Judiciary Committee.

By Mr. Dickerson—

A bill to provide for service by publication upon unknown parties in certain suits in equity.

Referred to General Judiciary Committee.

By Mr. Hopkins—

A bill to amend Paragraph 1 of Section 13 of Article 6 of the Constitution in reference to salaries of Justices of the Supreme Court, Judges of the Court of Appeals, and Judges of the Superior Courts.

Referred to Committee on Appropriations.

By Mr. Edwards—

A bill to repeal the Act creating the Board of Commissioners of Roads and Revenues for the County of White.

Referred to Committee on Special Judiciary.

By Mr. Edwards—

A bill to amend Section 1207 of Vol. 2 of the Code of 1910, giving county authorities the right to contract convict labor.

Referred to Committee on County and County Matters.

By Mr. Ficklen—

A bill to require motor vehicles to come to a full stop before crossing a railroad track.

Referred to Committee on Public Roads.

By Mr. Odom—

A bill to fix the time when State and County tax books shall close.

Referred to Committee on Finance.

By Messrs. Elders and Heath—

A bill to provide for the nomination of State officers in primary elections by the county unit plan.

Referred to General Judiciary Committee.

The following resolutions were read the first time, to-wit:

By Mr. Wohlender—

A resolution in reference to the financial condition of the State.

Referred to Finance Committee.

By Mr. Andrews—

A resolution regarding the practice of storing, holding and hoarding food products, fuels, &c.

Referred to Committee on State of Republic.

By Mr. Brown—

A resolution to provide for the speedy determination of an action entitled “State of Georgia by its Attorney General, complainant, versus Tennessee Copper Co., and Ducktown Sulphur, Copper & Iron Co., limited, defendants.”

Referred to General Judiciary Committee.

The following resolution was read and adopted, to-wit:

By Mr. Andrews—

A resolution providing that a joint committee of two members from the Senate and three members from the House of Representatives be appointed to arrange a programme for the inauguration of the Governor-elect, and that said committee report back to their respective Houses.

The President appointed the following Senators as members of the above committee:

Messrs. Andrews and Elders.

The following resolution was read and adopted, to-wit:

By Mr. Andrews—

A resolution inviting Hon. William J. Harris, Chairman of the Federal Trade Commission, to a seat on the floor of the Senate.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has concurred in the following resolution of the Senate, to-wit:

A resolution providing for a Joint Session of the General Assembly in the House of Representatives June 29, 1917, at 11 o'clock A.M., for purpose of canvassing the vote for Governor and State House officers.

An invitation from the Chamber of Commerce, and City Council of Athens, inviting the General Assembly to visit that city on July 4th, 1917, was read and accepted.

Mr. Hopkins, Chairman of the Committee on part of the Senate, to wait upon His Excellency the Governor, and inform him, that the General Assembly had convened and organized and was ready for the transaction of business, reported that the Committee had called upon the Governor, and that he desired to deliver his message in person to the General Assembly, in joint session tomorrow

Upon motion of Mr. Hopkins the Senate at 12:55 o'clock P.M. adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER ATLANTA, GA.

Friday, June 29, 1917

The Senate met pursuant to adjournment at 10 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names:

Andrews, W. P.	Eiders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Pynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loftin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	McCurry, A. A.	Mr. President.
Edwards, Chas. H.	Merry, H. H.	

The Journal of yesterday's proceedings was read and confirmed.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has concurred in the following resolution of the Senate, to-wit:

A resolution providing for a Joint Committee to arrange a program for the inauguration of Governor-elect.

The Speaker appointed the following members as a committee of the House:

Messrs. McCrory, of Schley; Scott, of Johnson; Burkhalter, of Tattnall.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has adopted the following resolutions, to-wit:

A resolution accepting the invitation of the Chamber of Commerce of Athens, inviting the Legislature to that city.

A resolution appointing a committee of the House and Senate to make arrangements for the inauguration of Hon. Hugh M. Dorsey, as Governor.

The following resolution was read and adopted, to-wit:

By Mr. Hopkins—

A resolution providing for an extension of the joint session of the General Assembly to be held this day, so as to hear His Excellency Governor Harris deliver his annual message in person.

The following House resolution was taken up and concurred in, to-wit:

By Mr. Wright of Floyd—

A resolution accepting an invitation from the Chamber of Commerce of Athens, Ga., to the General Assembly, to visit that city on July 4th, 1917

Mr. Andrews of the Thirty-fifth District, Chairman of the Committee on the part of the Senate to prepare a program for the inauguration of the Governor-elect, submitted the following report:

Mr President:

Your committee appointed to make arrangements and to provide for a program for the inauguration of the Governor-elect beg leave to report as follows:

1. That the inaugural ceremony shall take place in the Hall of the House of Representatives at 12 o'clock noon, on Saturday, June 30th, 1917
2. That at 11:45 o'clock the House and Senate assemble in joint session in the Hall of the House of Representatives, the President of the Senate presiding.
3. That the joint committee of the House and Senate repair to the Kimball House where they will meet the Governor-elect and escort him to the Capitol.
4. That the justices of the Supreme Court and Court of Appeals, State House officers elect and retiring, ex-Governors and Federal Judges are invited to assemble at the Governor's office at 11:45 o'clock A. M., and escort the Governor and Governor-elect to the Hall of the House of Representatives, where seats will be reserved for them immediately in front of the Speaker's stand, as well as for the families of the incoming and retiring Governors.

5. That the order of the proceedings by the joint session of the General Assembly will be as follows:

- (a) Invocation by Rev. J. H. Scruggs of Hawkinsville.
- (b) Presentation of the Governor-elect to the General Assembly by the President of the Senate.
- (c) Administration of the oath of office to the Governor-elect by Hon. William H. Fish, Chief Justice of the Supreme Court.
- (d) Presentation of the Great Seal of the State by the Secretary of State to the retiring Governor, who shall deliver the same to the Governor, who in turn delivers it to the Secretary of State.
- (e) Inaugural address by the Governor.
- (f) Benediction by the Rev. C. O. Jones of Atlanta.
- (g) Dissolution of the joint session of the General Assembly.

Respectfully submitted,
WALTER P. ANDREWS, Chairman.
Senator from 35th District.

H. H. ELDERS,
Senator from 2nd District.

The report was adopted.

The following message was received from His Excellency, the Governor, through his secretary, Mr. Jones:

Mr President:

I am directed by His Excellency, the Governor, to deliver to the Senate a communication in writing for which he respectfully asks consideration.

I am further directed to deliver to your body a written communication under seal, for which consideration is requested in executive session.

STATE OF GEORGIA
EXECUTIVE DEPARTMENT

Atlanta

To the General Assembly of Georgia:

Pursuant to the provisions of the Act of the General Assembly creating the Western & Atlantic Railroad Commission and in compliance with the request of the Chairman of said Commission, I herewith transmit to your honorable body its annual report.

I think it would be advisable for the General Assembly to provide for the printing of a number of copies of this report in pamphlet form in addition to putting it in the Journals of the House and Senate.

Respectfully submitted,

N. E. HARRIS,

Governor.

This June 27, 1917

REPORT

STATE CAPITOL.

Atlanta, June 27, 1917

To the General Assembly:

Section 19 of the Act of the General Assembly, approved November 30th, 1915, providing for the re-leasing or other disposition of the Western & Atlantic Railroad and its properties, etc., is as follows:

“Be it further enacted, that the Commission created by this Act shall make full report to the General Assembly when it meets in 1916 of what it has done up to that time, and annually thereafter until it has completed its duties under this Act, or shall have been discharged by joint resolution of the General Assembly.”

Complying with this mandate, the Commission submitted to the General Assembly when it convened in 1916 a report of what it had done up to that time. Special reference is made to that report.

DEATH OF HON. J L. HAND.

On October 14th, 1916, the Commission suffered irreparable loss in the death of Hon. Judson L. Hand, appointed by the General Assembly in the Act of November 30th, 1915, a member of the Commission.

Mr. Hand's splendid abilities, his wide and successful business experience, his great industry and his conservative judgment, qualified him for the

very efficient service he was so patriotically rendering to the State at the time of his illness and death.

On November 13th, 1916, the Hon. St. Elmo Massengale of Fulton County was designated by the Governor as Mr. Hand's successor, and at once assumed his duties as Commissioner.

ORGANIZATION AND EXPENDITURES.

The intelligent and proper discharge of the duties imposed upon the Commission, particularly as enumerated in Sections 3, 5 and 16-A of the Lease Act has required the expenditure of much time and labor and the employment of technical expert help at considerable expense.

The data, statistics and information as to the road, gathered during the past eighteen months, are too voluminous to be reported in detail, but all have been carefully prepared and filed in the Commission's records, and should prove of great value for the future, as it has been for present purposes.

The Engineering work directed in the Act, in so far as necessary and helpful for re-leasing purposes, having been practically completed, on December 31st, 1916, the Commission discontinued the employment of an Assistant to its Special Engineer.

Because of the valuation of the road by the Federal Government, which is still in progress, and of the great concern of the State therein, it was deemed important and desirable that the State should keep in touch with the same and to this end it arranged to continue the services of Mr. John-

ston, as Valuation Engineer, at a salary of \$150.00 per month, this being one-half of the salary paid for his full time while handling the engineering work required under the Lease Act.

Unless further appropriation therefor is made at this session of the General Assembly, Mr. Johnston's employment as Valuation Engineer will terminate on July 1st.

Hon. W. A. Wimbish was named in the Lease Act, as Attorney and Counsel to the Commission. As heretofore reported, his compensation for the first year of his work, being the calendar year 1916, was fixed by the Commission at \$5,000.00. It was expected that the greater part of the work of this department could be completed during 1916. This has not been accomplished however. Under the agreement above mentioned, Mr. Wimbish's salary of \$5,000.00 ceased on December 31st, 1916.

The Commission and Mr. Wimbish have not been in agreement as to his proper compensation since the expiration of the first year of his services, and nothing has been paid him as Counsel since December 31st, 1916. Mr. Wimbish has stated to the Commission that having been appointed by the General Assembly, he would prefer to refer the question of his compensation to it.

During last summer the duties of Secretary and stenographer were combined, since which date all of the Secretarial and Clerical work of the Commission has been most efficiently discharged by Mr. J. Groves Cohen, as Secretary-Stenographer, at a salary of \$150.00 per month.

Attached to this report, marked "Exhibit A," is a full statement of all expenditures by the Commission to date.

It will be noted that the original appropriation is practically exhausted, the unexpended balance June 27th being \$404.75.

In view of the importance of the valuation being made by the Federal Government, the Commission is of the opinion that the State should keep in close touch with its progress. This can best be done through the continued employment of a competent Engineer. Mr. J. H. Johnston, at present in the employment of this Commission, is exceedingly competent and has been for the past eighteen months familiar with the details and progress of the valuation. It is estimated that the Division of Valuation will submit its final report to the Interstate Commerce Commission probably within a year.

There will also be some engineering work in connection with the closing up of the present lease and the turning over of the road and its properties under the new lease.

The Commission is of the opinion that some engineering supervision as to the State Road during the new lease should always be had. Attention to such should be in the hands of the Railroad Commission. It has been stated to this Commission by the Chairman of the Railroad Commission that in the opinion of that body it is of urgent importance that it should have a regularly employed Engineer for inspections of railroads and their equipment and

for furnishing engineering information and advice on capitalization and construction of railroads.

The wisdom of combining the above mentioned duties in the employment of an expert Engineer for all of his time by the Railroad Commission is respectfully suggested.

The Commission also recommends that it be allowed a further appropriation for the continued employment of a Secretary. There is considerable amount of clerical work remaining to be done in connection with the closing up of the present lease and the turning over of the properties under the new lease. This work, however, while important, is not sufficient in volume to require the full time of the Secretary.

The Commission is informed by the Chairman of the Railroad Commission that it is in urgent need of additional clerical force, and could, with profit to the State, effectively use the time of the Secretary of this Commission, not needed in its work. This Commission recommends, therefore, that it be allowed an appropriation of \$1,800.00 per annum for two years beginning July 1st, 1917, for the employment of a Secretary, who will devote all of his spare time to work in the office of the Railroad Commission and under its direction when so engaged.

In 1916 the Commission reported as follows:

“Under authority conferred upon them by the Act, creating the Commission, the Governor and the Chairman of the Railroad Commission fixed the compensation of the other three members of the Commission at \$100.00 per month, with actual expenses incurred in the discharge of their duties.”

The Governor and the Chairman of the Railroad Commission, ex officio members of the Commission, in view of the exhaustion of the original appropriation for the expenses of the Commission, recommend to the General Assembly that it include in any appropriation made by it sufficient funds to pay the salaries of three Commissioners until December 31st, 1910.

Attention is also called to the fact that in connection with the settlement of encroachments, the completion of the Federal Valuation of the road in which the State as owner must aid, in settlement with the present lessee and in thereafter turning over the property to the new lessee, there is considerable work yet to be done, although the more responsible and larger part of the work imposed upon the Commission has been completed. It appears necessary therefore that the Commission should be supplied with a small contingent fund, and recommendation is made that One Thousand Dollars be appropriated for this purpose.

POWERS AND DUTIES OF THE COMMISSION.

The title of the Act of November 30th, 1915, creating this Commission is "An Act to provide for the leasing or other disposition of the Western and Atlantic Railroad and its properties; for the creation of a Commission to effectuate such purpose, and to define its powers and duties; making an appropriation for the cost of the work required, and for other purposes."

An analysis of the Act shows that the primary duty imposed upon the Commission was to ascertain, consider and determine the terms and conditions upon which the Western & Atlantic Railroad should be leased upon the expiration of the present lease, and in the event a new lease could be secured upon terms satisfactory to the Commission as advantageous to the State and in accordance with the provisions of the Act, it was authorized and empowered to agree upon all the terms and details of a formal lease contract, which being prepared and certified to the Governor by the Commission should be executed by him in behalf of the State.

The only disposition of the road which the Commission was authorized or empowered to make was a re-leasing thereof.

In the event it was unable to find a lessee for the road upon fair and satisfactory terms, the Commission was directed to so report to the General Assembly at the earliest practicable time, together with its recommendation as to the most advantageous disposition or use to be made of the road and its property, including the expediency of the extension of the road to the sea.

Prior to any effort to effectuate a lease, the Commission was directed to cause such investigations to be made and such complete data assembled as would enable it to arrive at a fair valuation of the road for leasing purposes, and otherwise to determine the essential facts upon which the lease should be predicated.

The Commission followed in every respect and as fully as was possible the specific and detailed directions prescribed in the Lease Act for its guidance.

It is possible only to include a summary of the more important information and data thus assembled. The many details are of file in the Commission's records and complete reports.

DESCRIPTION, LOCATION, CHARACTER, ETC., OF THE
ROAD AND ITS PROPERTIES.

The Western & Atlantic Railroad is a standard, single track main line road connecting Atlanta, Georgia, with Chattanooga, Tennessee, one hundred and thirty-six and eight-tenths miles in length, of which one hundred and twenty-one and three-tenths miles are in Georgia and fifteen and a half miles in Tennessee. It has no branch lines.

It runs from Atlanta in a north-westerly and northerly direction through Fulton, Cobb, Bartow, Gordon, Whitfield and Catoosa Counties, in Georgia, and Hamilton County, in Tennessee.

Its construction by the State of Georgia, as a State enterprise, was commenced in 1837, under an Act of the General Assembly approved December 21st, 1836, and was practically completed in 1851. The first train, probably a work train, passed through the tunnel on May 9th, 1850. Actual transportation operations between Atlanta and Marietta, over a twenty-mile section, were begun in 1842.

The purpose of its building was to connect Georgia and the South-eastern Atlantic Seaboard with the West.

The section of Georgia through which it was to be constructed was broken and mountainous and so thinly populated that private enterprise and capital hesitated and halted in undertaking such a rail connection.

The construction expense, in the main, was met by direct State appropriations of public funds, and in part from surplus revenues from the operations of sections of the road placed in operation as completed.

Extensive donations of rights-of-way, station sites and terminal property in Atlanta were made by individual land owners along the line of the road and in Atlanta, and the values of which were probably never included in early estimates or reports of acquisition costs.

Because of the incompleteness of early construction records, and the loss and destruction of some, it is difficult, if not impossible, to ascertain with absolute accuracy the cost of the road to the State, nor is it possible accurately to ascertain or estimate the then values of rights-of-way, terminal property and station site donations by individuals.

The original reports, statements and estimates now available in many instances do not clearly or accurately separate actual road construction from road equipment costs.

In a report to the Governor of the State, under date of October 15th, 1857, J. M. Spurlock, Superintendent, made the following statement:

- “The whole cost of the road to
September 30, 1857 . \$5,901,497.52
- “Of which amount there has been
paid from the Treasury of the
State the sum of 4,495,652.43
- “And from the earnings of the road 1,405,845.09
- “Besides the \$1,405,845.09, which
has been paid from the earnings
of the road since 1852, for its
legitimate *construction* and
equipment, and thereby became
part and parcel of the capital in-
vested, the sum of \$293,500.00
has been paid into the treasury
of the State.”

A careful study of the reports of the different Superintendents, Treasurers and other officers of the road and a checking of the general records and books of the road now in the possession of the State show a total cost of *road* and equipment, from the beginning of construction to the first lease of the road in 1870, of approximately \$6,275,000.00. This total includes equipment purchased during the same period at an approximate cost of \$1,115,000.00, leaving \$5,160,000.00 as the approximate total capital cost of the road, excluding rolling stock and equipment. The Commission is satisfied that this sum is a close approximation of the cost of the road to the State.

Of the total capital expenditures on the road, as above checked, approximately \$1,100,000.00 was paid from the revenues of the road, or a sum practically equal to the cost of the rolling stock and equipment purchased for and used on the road

from the beginning of operations to 1870. In other words the road now owned by the State did not cost the taxpayers of the State over \$5,160,000.00.

The right-of-way, generally stated, is sixty-six feet wide, though there are three grants one hundred feet wide, one of one hundred and thirty feet, and two of two hundred feet; the total acreage in the rights-of-way, excluding the Atlanta and Chattanooga terminals, being 1,107 acres.

The Atlanta terminals include twenty-two and six-tenths acres and the Chattanooga terminals twelve acres.

The State owns fifty-seven different station and section house tracts containing approximately two hundred and ten acres, the total holdings of land constituting the road being 1,351.6 acres.

There are eight and one-tenth miles of second main line track now in operation, six and eighty-six hundredths from Atlanta to Bolton, and one and twenty-four hundredths miles in Chattanooga.

The main line is laid with rail of the following weights per lineal yard:

68 pounds on.	0.79 miles.
80 pounds on.	.128.86 miles.
85 pounds on.	7.12 miles.
90 pounds on.	0.05 miles.

There are sixty-eight and eight-tenths miles of side and passing track.

There are on the main line and side tracks a total of 589,189 ties, mostly of white and post oak, besides 520 sets of switch ties in turnouts and 278,533 feet of board measure of bridge ties.

The condition of the road, its properties and appurtenances is, fully and in detail, stated in the Condition Report and Inventory, prepared by the Commission and now on file in the Executive Office, as required by the Lease Act. This report is too bulky and voluminous for inclusion here.

By way of information and as of interest the Commission directs special attention to the following excerpts therefrom in the report of the Engineer of the Commission:

“Taken in its entirety, it may be, with some qualifications, said that the Western & Atlantic is a most excellent railroad and is maintained up to a high standard. Most of the depots, section houses and other buildings are in good repair and seem adequate to the demands of traffic. The Atlanta Union Passenger Station, however, is a notable exception, and the Chattanooga Passenger Station is not much better.”

“All the bridges are in good condition, but while heavy enough to meet the requirements of the class of engines that operate over them now, they seem in some cases rather light. The lessees are considering plans for re-building some and replacing others.”

“I carefully inspected every main line turnout and am glad to say that they are the best lot of switches I have ever examined. As there are 236 main line turnouts, and of that number all are good but eighteen, which are fair, I consider that a very excellent record.”

“In some places, notes of which are made, north of Junta, the track conditions are not so good as a whole. In fact it is very evident that there is a far different standard required and observed north of Junta from that south of that

point, and I wish to go on record as calling attention to this difference. I made notes of features, that, in my judgment, should be rectified at an early date."

"Between Atlanta and Junta, the rail, most of it having been in service a little more than two years, is in excellent condition. Between Junta and Chattanooga, where there is less traffic, the rail is considerably older, some of it being branded 1906 and 1907, and some 1904 and 1905. In a number of places, duly recorded, the rail should be taken out and new or first class relay put in."

"The road-bed is for the most part in excellent shape. Except on a few miles, of which we have a record, the ditches are clean and properly drain the cuts, while the embankments are magnificent, of full width, properly drained and lined. I think they are the best I have ever seen."

"We personally inspected every waterway, from the smallest culvert to the bridges, mention of the latter having been made above. A detailed list of the culverts, showing their size and condition, is included in the full report, and it is only necessary here to say that taken as a whole they are in remarkably good condition. While the majority of these culverts are of the original construction, on the other hand a number have been re-built of cast iron pipe, concrete or stone, with old rail tops, or in some cases, cedar timber tops.

"The tunnel just south of Tunnel Hill is really a limiting feature in the economical operation of the road, the size being too small to permit any larger locomotives, and also on account of its small size the lessee is compelled

to decline to receive certain kinds of box cars, they being too large to pass through the tunnel. The walls of the tunnel are beginning to crack in a few places, and at the north end there is so much water that it is almost impossible to maintain a good line and surface. This drainage feature should receive early attention at the hands of the lessee. In one place, pointed out by the Section Foreman, the sides are beginning to show evidences of pressure from behind that is forcing the stone side walls out of line."

"The amount of old furniture that we found is small, the total value being only about \$350.00, of which \$250.00 is represented by two old clocks. It consists principally of old desks, ticket cases, etc., that have scarcely any value except to serve the limited purposes of an Agent at a small station."

"In the depot at Ringgold, is a miscellaneous lot of 'machinery,' of which we have a complete list, that was once in the shops in Atlanta. It is not worth anything more than scrap iron, but, as scrap iron today commands the highest price in years, permission should be obtained to dispose of this old machinery for the best price."

"In Atlanta, the so-called 'shops' are not worthy of the name, either as to buildings or equipment. Since the fire about 1906 there have been no replacements of any permanent character. Among the buildings used as shops and store rooms are a number of old box cars, of small value, which the lessee claims are not attachments to the realty, and on which we would like a specific ruling as to whether they will be so considered by the Commission in the

inventory of buildings. They, in most instances, have been set off the trucks and are resting on temporary supports on the ground."

The Western & Atlantic traverses a fairly prosperous and populous section of Georgia, but with respect to rail competition serves rather a restricted local territory. Its highest value as a transportation agency is in its use as a connecting link in some through system between Atlanta and the West.

It is substantially paralleled by the Southern Railway and the Central of Georgia from Chattanooga and the Louisville & Nashville through Etowah, Tennessee.

At Chattanooga practically the only available connection to be had is with the Nashville, Chattanooga & St. Louis Railway, the present lessee. The value of this one available Western connection open to it is indicated by the traffic study made for the Commission by Statistician Meyers, attached to this report as "Exhibit B."

The chief value of the road is in its Atlanta and Chattanooga terminals, these being located in the actual business center of each city, with resulting advantages to the railroad from their convenient location to patrons.

Approximately half of the estimated property value of the road as submitted in another section of this report is in the value of terminal properties owned in Atlanta and Chattanooga.

At the same time the weakest element in the value of the road, for independent operation apart from any other system, is in these same terminals. They

are entirely inadequate and insufficient. In addition, they have been steadily closed in by purchase and ownership by other carriers and by individual owners of valuable business houses and by streets, of all available adjacent property. Some of this adjacent business property might be purchased at a tremendous cost in the aggregate, but the great bulk of property adjacent to the road's right-of-way and by reason of locations desirable for terminal and yard enlargement has been acquired and is now owned, and much of it used, by other railroads and doubtless could not be purchased at any price.

The Commission has prepared a land or right-of-way map of the entire road which shows in a most startling manner how shortsighted has been the policy of the State in its ownership of its railroad.

Since the State first acquired its property holdings for railroad purposes, three-fourths of a century since, so far as this Commission knows or can ascertain, there have been no property additions along the line or at the terminals, but on the contrary and notwithstanding the growth of its business and the greater need of terminal property, the State has actually parted with title and possession to a considerable and very material percentage of its terminal properties, both in Atlanta and Chattanooga, and at important points along the line of road, as at Cartersville, Dalton, Boyce and other points.

For the past fifty years it has been the apparent policy of General Assemblies, to lease the road as best could be done, and then forget it.

Neither the lease Acts nor contracts of 1870 and 1890 looked a day further than that of termination, nor do they contain a paragraph safeguarding the road as to its needs even the day after the expiration of either lease term.

FINANCIAL RESULTS OF OPERATIONS BY THE PRESENT
LESSEE UNDER THE EXISTING LEASE.

The Lease Act of 1889 by virtue of which the Nashville, Chattanooga & St. Louis Railway became and is the Lessee requires that annual reports of the operations of the road under the lease shall be made to the Governor.

These reports have been made for each fiscal year ending on June 30th. The latest report on file is for the fiscal year ended June 30th, 1916.

This report carries a summary by the Lessee of

“OPERATIONS DURING LEASE.”

“The receipts and expenditures from December 27th, 1890, to June 30th, 1916, twenty-five and a half years, have been:

Receipts	...	\$58,820,497.95
Operating Exp.		41,304,996.27

Net Earnings		\$17,515,501.68
Rental\$10,714,822.26
Interest		326,633.63
Taxes		338,054.94
Improvements	.	875,685.07
		<hr/> \$12,255,195.90

Surplus	..	\$ 5,260,305.78
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This is an average of \$206,286.00 per annum for

the period the present lease had run up to June 30th, 1916, as profits to June 30th, 1916, to the Lessee thereunder.

Paragraph 5, Section 5, of the Lease Act of 1915, prescribed the following duty for this Commission:

“It shall cause to be made a careful examination into the reports, accounts, statistics and other data relating to the operation of the road for a series of years past, in order to arrive at an estimate of the fair earning power of the road, based upon the character and extent of and revenue derived from the traffic which it has enjoyed and which it may reasonably expect to retain.”

Through the great courtesy and kindness of the Interstate Commerce Commission, this Commission was able to engage Mr. W. J. Meyers, the Chief Statistician of the Interstate Commerce Commission, for the purpose of making the investigations and studies directed in the above quoted paragraph.

The extent of Mr. Meyers' study is indicated by the following quotation from his report:

“The purpose of this study is to aid the Western & Atlantic Railroad Commission in determining what disposition to make of the Western & Atlantic Railroad upon the expiration of the present contract of lease of that road to the Nashville, Chattanooga & St. Louis Railway, and particularly to determine whether the road shall be further leased and if so, to what lessee and upon what terms.”

“The first matter to determine is the earning capacity of the property after the termination of the present contract, December 27th, 1919,

and perhaps the best evidence of what may be expected in the immediate future is what has occurred in the immediate past. The Lessee has reported to the Railroad Commission of Georgia regarding its operations on the Western & Atlantic Railroad year by year during the period July 1st, 1910, to June 30th, 1915, and on its books it has division figures of revenues and expenses for years prior to that period, the Western & Atlantic Railroad being designated on its books as the Atlanta Division."

"Owing to the fact that the occurrences of the remote past have less significance for judging the present trend, and that the Interstate Commerce Commission's Uniform System of Accounts did not become effective until July 1st, 1907, I have not considered it worth while to make a detailed study of any figures relating to periods prior to that date."

Mr. Meyers reported the results of his study in two periods, to-wit: for five years ending June 30th, 1915, and for eight years ending June 30th, 1915.

In commenting on these results he states:

"The eight-year period gives the larger value for the Western & Atlantic, but I incline toward the view that the five-year period is more truly indicative of what the future will yield, because of the change in the policy of Governmental regulations of railway rates introduced by the amendment made to the Interstate Commerce Act in 1910."

In this connection it is well to remember that the Western & Atlantic Railroad is an *inter-state* road with the great bulk of its traffic in inter-state commerce, and further that our State Supreme Court

has held that the State is without power, even in a contract of lease, to regulate or directly influence interstate rates, referred to in the Lease Act of 1889 as on "through freights."

After making certain adjustments and corrections, in his opinion proper, in the reports and figures of the Lessee Company, Mr. Meyers makes the following statement:

"These figures show for the five-year period, (ended June 30th, 1915), an average annual surplus of \$189,444.40, after payment of the annual rent of \$420,012.00, and after deduction of the arbitrary equipment charges before mentioned as well as all taxes, maintenance and other operating expenses assigned to the property."

Mr. Meyers made a careful study of the sources and character of the freight traffic of the road, and found that about three-fourths of its tonnage and revenue were received from connections and that of this three-fourths, about 76 per cent of the tonnage and 72 per cent. of revenue were received from the present lessee and its affiliated lines, and that on the whole the freight traffic of the road was largely competitive.

His report concludes as follows:

"The foregoing figures lead me to the conclusion that the Western & Atlantic Railroad is an important part of the Lessee's System, but because of the fact that so large a proportion of its traffic is from connections to connections and that such traffic, as well as a considerable portion of its other traffic, can be

moved over competitive routes it cannot be considered an indispensable part of such system.

“Assuming that no radical falling off in business occurs, that the tax burdens levied upon the property are not made proportionately heavier than at present, and that if the tendency toward increase in necessary operating expenses persists, the public will allow that fact to be provided against through an increase in revenue, the lessee can apparently afford to pay as a rent for this property about \$600,000.00 per annum if the rent is to be a fixed sum. If the rent is to be contingent on the amount of traffic, and the income from joint facilities, rent of buildings and other property off the right-of-way, etc., may be assumed to increase substantially in proportion to the amount of traffic, as when considered over a period of years as it doubtless will, the rate may probably be as high as one-fourth of a cent per revenue ton mile and a like amount per revenue passenger mile.

“If the miscellaneous property at Chattanooga not used for railroad purposes were to be excluded from the lease, the rent exacted would have to be correspondingly diminished, as it would also if the lessee were to be restricted in the matter of granting trackage and other joint rights to other carriers in connection with the use of the Western & Atlantic Railroad property.

“If for any reason, the Western & Atlantic Railroad Commission should conclude that the income which may be derived by the lessee from these sources will not fluctuate substantially in proportion to its earnings from the traffic carried over the Western & Atlantic Railroad, the measure of rent above suggested would require modification.”

The Commission attaches hereto Mr. Meyers' report, Exhibit B, and directs special attention to it, as especially illuminating as to the rental value of the Western & Atlantic Railroad in so far as the same may be estimated from recent operations under the existing lease.

ESTIMATED PRESENT VALUE OF THE ROAD AS A GOING
RAILROAD.

The Act of Congress, March 1, 1913, providing for a valuation of Common Carrier properties in the United States, under which a physical valuation of the Western & Atlantic Railroad is now in progress by the Division of Valuation of the Interstate Commerce Commission provides, among other things, the ascertainment of three values, to-wit:

1. Original cost to date.
2. The cost of reproduction new.
3. The cost of reproduction, less depreciation.

In our opinion, neither of these nor all of them considered together definitely determine the value of a railroad. Separately or collectively considered they are only so many elements entering into value or so many aids in arriving at a conclusion as to value. In other words there are other elements of value to be weighed, or other facts necessary to be considered in reaching a conclusion. The Commission has undertaken to ascertain these three aids in making an estimate of value of the State Road.

1. *Original Cost to Date.* This we have already stated according to the best information obtainable from available reports and records, as approximately \$5,160,000.00 directly to the State, excluding

rolling stock and equipment, to which should be added permanent additions and betterments, chargeable to capital account, made since 1870 by the two lessee companies. An analysis of charges to improvements and betterments made during this period shows that many of them were not in fact for real improvements of a permanent character. In our opinion a very liberal estimate for permanent improvements and betterments properly chargeable to capital account since 1870 would be not exceeding three-quarters of a million dollars, which sum added to the estimated cost of \$5,160,000.00 to 1870 would make the total cost to date of the road approximately \$5,910,000.00.

These are estimated *cost* figures, but it is interesting to note in connection therewith that the Reese-Powers-Howard Commission, in 1888, estimated the *value* of the road, exclusive of rolling stock, equipment and supplies, at approximately \$5,900,000.00. The Flewellen Commission estimated its value in 1889 at approximately \$5,800,000.00, and the Clark-Lewis-Harris Commission, in 1890, at approximately \$5,980,000.00.

2. *Cost of Reproduction, New.* In arriving at the cost of reproduction new, as of the date of valuation, the Interstate Commerce Commission assumes that all railroads except the one to be reproduced are in existence, and that the reproduction of this particular road is to be made under every condition and with every surrounding in existence at the time.

In submitting his estimates of the cost of reproduction new, the Commission's Engineer followed

these assumptions as of July, 1916. In other words he assumed that Atlanta, Chattanooga and all the towns, industries, etc., along the line were as then; that there was in fact no Western & Atlantic Railroad in existence and that his task was to acquire the right-of-way, terminals, etc., as they were and construct and make ready for operation the road as it was in fact in existence in July, 1916. The estimate submitted by Mr. Johnston is as follows:

COST OF REPRODUCTION NEW.

July, 1916.

Account

No.

1. Engineering	. \$ 350,000.00
2. Lands	7,187,000.00
3. Grading	2,433,359.00
5. Tunnels	158,762.00
6. Bridges, Trestles & Culverts.	1,185,935.00
8. Ties	511,051.00
9. Rail	878,860.00
10. Other track material	252,973.00
11. Ballast	356,241.00
12. Track laying and surfacing	373,078.00
13. Right of way fences	4,500.00
15. Road Crossing & Signs	61,824.00
16. Stations,	} 563,956.00
17 Roadway Buildings,	
20. Shops & Engine House,	
18. Water Stations	50,000.00
27 Signals & Interlockings	48,000.00
37 Roadway Machines	2,625.00
44. Shop Machinery	37,456.00
51-58. Equipment	260,000.00
71-75-77 General Expenditures.	138,372.00
76. Interest During Construction.	654,875.00

Grand total

. \$15,508,867.00

NOTE: Southern Express Company Building and Eastern Hotel Building at Chattanooga are not included.

In submitting the above estimate Engineer Johnston says in reference to account No. 51-58, Equipment:

“I have used the figures which Major Thomas, the then (1890) President of the Nashville, Chattanooga & St. Louis Railway, stated to Governor Northen were the values which the Nashville, Chattanooga and St. Louis Railway would accept for cars and locomotives (equipment), to-wit; \$260,000.00.”

He further states:

“The items of ‘General Expense’ and ‘interest during construction’ are subject to revision. Also the values of land, so that without these four items, the value (reproduction cost new) of the physical property will amount to \$7,268,620.00, which in my judgment is a very conservative estimate.”

It will be noted that of the entire estimated cost of reproduction new of the road, as of July, 1916, excluding equipment and shop machinery, \$15,211,411.00, nearly one half or \$7,187,000.00 is the estimated cost of land for right of way, terminals and station sights.

3. *Cost of Reproduction, Less Depreciation.* The third factor in estimating value is the cost of reproducing the property, not new, but in the physical condition it is in at the time of the estimate.

Omitting any deductions whatever for depreciation as to lands, but including them as the reproduction new estimate above, Mr. Johnston estimates

the reproduction cost, less depreciation, of the entire road, as of July, 1916, at \$14,098,780.00.

~ In the last two estimates above given, the value of land in Atlanta and Chattanooga was deduced from the prevailing values of land in the immediate vicinity

ESTIMATED COST OF TERMINAL IMPROVEMENTS AND
OTHER CHANGES NECESSARY FOR THE INDEPEND-
ENT OPERATION OF THE WESTERN & ATLANTIC
RAILROAD.

Paragraph 6 of Section 3 of the Lease Act requires of the Commission, "An estimate of the character and cost of making such terminal improvements and other changes as would be adequate for the independent operation of the road."

Paragraph 4 of Section 5 requires of the Commission,

(1) the preparation of "surveys, profiles and estimates of cost necessary to double track the road and reduce its grades and curves and the time reasonably required therefor."

(2) "What changes and improvements will be required to provide adequate terminal facilities for the independent operation of the road and estimated cost thereof, and the time reasonably required for the work."

In compliance with these requirements the Commission has had its engineer make a careful and thorough investigation, inquiry and study of terminal conditions, needs and requirements in both Atlanta and Chattanooga.

In further compliance with the Legislative direction, we incorporate in this report, in full, Mr. Johnston's suggestions and estimates of costs as to terminal improvements and changes.

While there may be differences of opinion among individuals as to particular suggestions in this report, as a whole, it has substantial value in the consideration of the proper disposition of the road, whether to be re-leased, to whom and for what rental, or as an alternative, its operation independently, by the State or others, of any existing rail-road system.

The report is as follows:

“Paragraph 4 of Section 5 of the Act calls for a report on what changes and improvements will be required to provide adequate terminal facilities for the independent operation of the road, and estimated cost thereof, and the time reasonably required for the work.

“Any estimate of this kind will be based upon the hypothesis that the business of the Western & Atlantic Railroad under an independent operation will be about of the same nature and extent as it has been during the operations of the present lease, and will have in view the probable growth as indicated by the charts showing the business of the road in past years. While I have serious doubts that such would be the case, I cannot assume any other basis upon which to predicate a report.

“The question of terminals divides itself into passenger and freight terminals in both Atlanta and Chattanooga. The present passenger terminals in Atlanta are admittedly by all an eye-sore and disgrace, and no doubt it is a

condition which would not be allowed but for the circumstances, and in the event of a new lessee, he will probably be required to construct an adequate and proper passenger station. I have in mind a complete re-arrangement of the present tracks between Central Avenue and Magnolia Street, whereby the main passenger station, costing \$500,000.00, would be located just north of Forsyth Street, with an entrance from the bridge and a Plaza between Broad and Forsyth Streets. The tracks would be below on the present grade, but laid in such way that the passenger tracks would be a little to the westward, so that the freight yards, team tracks and freight houses would be on the Marietta Street side of the yard, thus avoiding necessity of crossing tracks by teams to reach the freight buildings and car load shipments. This would completely occupy the space with tracks where the present round house is, necessitating its removal to some point further out of town, where the break-up yards or terminals for freight trains would be located.

“In my proposed plan for re-arrangement of the facilities between Forsyth and Magnolia Streets, I contemplate the acquisition of the Seaboard Air Line freight houses at a cost of about \$100,000.00, which is now used jointly by the lessee and the Seaboard Air Line, as it is my understanding that this property could either be bought outright or an arrangement for joint operation effected. Assuming that this can be done, I have estimated an expenditure of \$200,000.00 to cover inbound and outbound freight houses, with necessary transfer platforms, and the other facilities around modern freight terminals.

“The point I have selected tentatively for the

break-up yards is in the vicinity of the Swift Fertilizer Works, where the main line would be materially shortened and straightened, and the yards built to the east of the present Louisville & Nashville Railroad Belt, the old main line to be left in its present location as an industrial track.

“While it is a fact that the present Lessee owns a very large tract of land in the neighborhood of Hills Park that would not be of any service to it in the event of an independent operation of the road, it seems to me quite probable that the Louisville & Nashville would require the Nashville, Chattanooga & St. Louis to sell this property to the Louisville & Nashville for its own uses, so that I do not think that we could count on acquiring that property from the Lessee in such event. Furthermore, the Louisville & Nashville using the terminal facilities of the Georgia Railroad, it is not probable that in the event of an independent operation of the Western & Atlantic Railroad, an arrangement could be made for the use of terminal facilities jointly with the Louisville & Nashville. This then would require the acquiring of property for break-up yards as indicated above. At the point I have in mind it is my belief that about 150 acres can be acquired at a cost of about One Thousand Dollars an acre, and it is my recommendation that whether the State operates the Western & Atlantic as an independent proposition or leases it, a careful study of this location should be made, with a view of buying it at this time and make the new lessee pay for it by increase of rental so as to reimburse the State for it. This is the closest property to the terminus of the road that could be acquired at anything like a reasonable sum of money, and

the longer the purchase of it is delayed the more costly it will become. One of the reasons why the cost of this property is not greater is that it is low and unimproved ground, and not to a very large extent subdivided, though it would necessitate a large expenditure for grading it for yard purposes, requiring practically \$200,000.00. To this amount should be added \$90,000.00 to cover the necessary yard tracks. In addition there would be required an expenditure to the sum of about \$105,000.00 for small shops with shop machinery, water and fuel station, and turntable.

“I have already, in another report on the Chattanooga Terminals, made a recommendation as to what should be done in event of either a releasing of the property or an independent operation, viz: that something will have to be done in the way of improvement of the passenger facilities. In that report, I showed that \$1,400,000.00 would be necessary to provide for proper freight and passenger facilities, according to one plan, and I will take that figure as the amount necessary to be expended. That report showed that while this would be an expenditure of a great amount of capital, there would be an income derived from the rental property that would off-set this expenditure from the standpoint of interest on invested capital. The arrangement of the passenger and freight facilities in Chattanooga would entirely occupy all available terminal lands there, and it would be necessary, in the event of an independent operation, to either make some arrangement with one of the existing lines in Chattanooga for taking care of our engines and switching, over their tracks, or the purchase of lands for yards and engine terminals. We know from the options

secured some years ago, and also from confirmation of these through recent proposals, that land for this purpose can be acquired about 4 miles from the depot, at a cost of between eight hundred and one thousand dollars an acre, for a track of about one hundred acres, which can be bodied up, and not less than this amount should be bought to take care of present business and that of future years. For immediate facilities, graduation and tracks in this yard, \$170,000.00 would be required, to which must be added a further sum of \$35,000.00 to take care of a small round house, water station, turntable and a very small amount of machinery.

“Summing up the various items enumerated above, we have the following:

ATLANTA:

Passenger Station, tracks, etc..	.\$ 500,000.00
Freight depot, Terminals, etc.	200,000.00
Purchase of additional land, (SAL)	100,000.00
Break-up Yards, Land	150,000.00
Graduation, Tracks, etc.	290,000.00
Round House, Repair Shops, etc..	105,000.00
<hr/>	
Total for Atlanta	..\$1,345,000.00

CHATTANOOGA:

Passenger and Freight Terminals.	\$1,400,000.00
Break-up Yards, Lands	100,000.00
Graduation, Tracks, etc.	170,000.00
Round House, etc.	35,000.00
<hr/>	
Total for Chattanooga	..\$1,705,000

“The foregoing figures give a grand total expenditure for terminals as set out of \$3,050,000.00.

“The estimated time required for construct-

ing these terminals, including the acquisition of lands, is between two and a half and three years.

“It is proper to say that the sums here presented are of necessity more or less approximate, but it is my judgment that they are not far from being correct. To get a close estimate will require surveys, estimates and probably bids for which due compensation should be paid. Furthermore, in reference to lands, expert real estate men should be consulted and options taken, and all of this under cover, lest the purpose of the State be disclosed.

“The removal of the passenger station from its present site at Wall Street would leave available a very desirable location for a modern concrete warehouse, similar to that which the Atlanta Joint Terminal (Louisville & Nashville) built alongside its tracks about Washington Street, and would give the Western & Atlantic Railroad a splendid advantage in securing a business that is such a profitable one, for the reason that it would be closer to the wholesale section than any other location of similar facilities in the city. I estimate that the concrete warehouse will cost \$135,000.00, to which should be added \$25,000.00 for additional tracks, re-arrangement of tracks, grading and paved driveway to serve the team tracks. While the actual rental from this warehouse would not pay an interest on the investment cost, the real returns will be in the increased business that the Western & Atlantic Railroad would receive. However, as this is not an absolute necessity, at this time, I have not included the cost of this item in my summary, but simply mention it so that it will be shown that I have not overlooked the fact that this property can be used to advantage.”

ESTIMATED COST OF SECOND TRACK AND REDUCTION
OF GRADES AND CURVATURES.

In further obedience to the directions in paragraph 4, section 5 of the Lease Act, the Commission has secured and prepared in part and revised, surveys, profiles and estimates of cost necessary to double track the road and reduce its grades and curves, and the time reasonably required therefor. The maps, profiles, etc., are of file with the Commission's records and special reference is made to them as parts of this report.

Unless and until there is sufficient traffic on a given road to justify the expense of construction and maintenance of a second main line track, it is of course not desirable to build such.

The Commission is quite confident in the opinion that with the Louisville & Nashville Railroad continuing to have contractual trackage rights over the Western & Atlantic between Atlanta and Junta, a second main line track is desirable now, and doubtless in a very short time will become a necessity.

The Commission is strongly of the opinion that, with the growth of population and traffic in the territory served by the Western & Atlantic and its present and future lessee, the Nashville, Chattanooga & St. Louis Railway, even with the discontinuance by the Louisville and Nashville Railroad of its present use of the State road track between Junta and Atlanta, double tracking will be necessary before the expiration of the new lease. The

term of the new lease is sufficiently long to justify such a construction by the lessee.

In the opinion of the Commission, double tracking of the road, when there are reasonably justifying traffic conditions, will promptly follow because of other physical road conditions which can be vastly improved in connection with double tracking. The Western & Atlantic Railroad is an exceedingly crooked road.

Dr. John W. Lewis, one of its early and most capable Superintendents, said in one of his reports to the Governor that he believed it was the crookedest railroad in the United States.

Excessive curvature in the line of any railroads adds largely to the cost of operation, maintenance and upkeep. Train loads are restricted, coal consumption heavier, trains and train crews multiplied, wear and tear on rails and superstructure intensified, speed in traffic movement diminished and risks of accidents increased.

The bridges and trestles as now constructed are generally speaking too light for the heaviest modern locomotives and the trains they draw to go over.

The tunnel in Whitfield County is too small to allow of passage through it of the largest locomotives and other equipment now in common use.

With double tracking the above mentioned disadvantages and drawbacks to the highest efficiency in operations can be simultaneously and with the least expense eliminated, and with a material and immediate reduction in the percentage of operating expenses.

In our opinion these conditions will have a ma-

terial bearing upon the probability of double tracking, revision of line, reduction of grades and curvature during the early part of the new lease, should abnormal conditions arising out of the world war not be prolonged or bring disaster upon this country such as has fallen upon so much of Europe.

The Commission includes here as a compliance with the requirements of the Lease Act as to double track and line revision, the estimates and report of Engineer Johnston, as follows:

“Section 4, paragraph 5 of the Act requires the Commission to make an estimate of reducing grades and curves and of double tracking the Western & Atlantic Railroad.

“From the data that has been supplied by the Lessee, estimates having already been prepared by their engineers from surveys for a double track on the existing line from Cartersville to Chattanooga, with slight revisions, I am able to state that the cost of that work will be:

For right of way	. \$ 200,000.00
For graduation, bridges & trestles	1,975,000.00
For superstructure	1,600,000.00
Total	<hr/> .\$3,775,000.00

“These figures are based on current prices, together with my judgment after a careful study of conditions.

“The President of the Nashville, Chattanooga & St. Louis Railway, the Lessee, was at one time Chief Locating Engineer of the Louisville & Nashville Railroad, and as such made a location and estimate of cost of double tracking the main line of the Western & Atlantic

Railroad from Cartersville to Atlanta. Through his courtesy we have been furnished with this information. Mr. Peyton made some slight changes in the alignment and also to a certain extent the grades, so that in no case would the grades be in excess of 0.65%, with a proper reduction of grade to compensate the curves. This would give the identical grades that are now in use by the Louisville & Nashville Railroad on its Knoxville-Cartersville line thereby enabling the Louisville & Nashville to run its trains into Atlanta without breaking them at Cartersville, as at present.

"I have carefully investigated and studied the estimates on Mr. Peyton's line, but, as these figures were prepared nearly ten years ago, have revised the unit prices in accordance with present conditions. As a result I estimate that the cost of this portion of the line will be:

For right of way	. \$ 159,000.00
For graduation, bridges & trestles	1,867,300.00
For track superstructure	1,042,100.00
Total	<hr/> \$3,068,400.00

"Adding these figures to the figures for the cost of the line between Cartersville and Chattanooga will make a total cost for double tracking from Atlanta to Chattanooga of \$6,843,400.00, from which should be deducted credits for material amounting to \$343,400.00, leaving the net cost of \$6,500,000.00.

"At this place it is proper to add that the following saving will be effected in the proposed revisions:

In distance	2.70 miles.
In curvature	4185 degrees.
In rise and fall	129 feet.

“Using the operating cost figures of the Nashville, Chattanooga & St. Louis Railway, and on basis of daily operation of thirty trains between Atlanta and Chattanooga, I estimate that about \$60,000.00 will be the annual saving in operating cost through these changes. Capitalizing this at five per cent., we get \$1,200,000.00, which should be deducted from the total of \$6,500,000.00 above, which would be equivalent to spending \$5,300,000.00.

“I am more than evident convinced that before any large amount of money is expended in double tracking the Western & Atlantic Railroad, a very careful study of the country should be made, with a view to ascertaining if the line cannot be reconstructed so that the grades will not exceed 0.5%, with proper compensation for curvature, and curves will not exceed four degrees. In the light of present day labor conditions, whereby the cost of operations is daily growing heavier and heavier, it is absolutely necessary that the management of railroads use every possible endeavor within the bounds of reason to reduce the operating cost. The factors that enter largely into operating cost are distance, curvature, rise and fall and the maintenance of bridges and trestles. I am fully convinced from a study of the map of the line from Atlanta to Chattanooga, copy of which is hereto attached, together with a study of the government topographical sheets, and the profiles of the line which have been furnished us, that substantial reduction in the length of the line can be had, and also the resulting reduction in curvature, this latter being unusually heavy on the Western & Atlantic Railroad, it amounting to an average of almost ninety degrees for every mile from Atlanta to Chattanooga. I am

also further of the opinion, that, in making these changes, a considerable percentage of the rise and fall can also be eliminated. It will, however, necessitate the expenditure of a very large sum of money to make surveys to determine the amount that each of the above features can be reduced. The information in the way of maps, profiles and estimates which have been furnished us through the courtesy of the Lessee and the Lessee's President have saved the State of Georgia at this time not less than \$25,000.00 and puts your Commission in possession of data that could not be supplied inside of twelve months, but it is not all as full as it should be to properly determine the final location, with estimate of cost.

"The attached alignment maps, on scale of two thousand feet to the inch, have been very carefully prepared from the information contained in the maps furnished us by the Lessee, and show the relative position of every point on the line between Atlanta and Chattanooga, together with every curve, stream, road crossing, and all other necessary data. The topography of the country on each side of the line has been sketched in from the Government topographical sheets, and while it is fairly representative of the country, it is not absolutely accurate, and could not be made so without a very large expenditure of money. The contours, however, are sufficiently accurate to enable me to indicate on the map the proposed suggestions for revisions, surveys of which, in my opinion, should be made. These suggestions are shown in red dotted lines, the revisions now proposed and for which estimates are made are shown in a solid red line on the map.

"I think it is pertinent at this time to call

attention to the very large cost which these proposed minor changes and double tracking would represent. It is probable, furthermore, that the extensive changes, which I stated above should be carefully considered, and for which surveys should be made, would increase this cost at least thirty per cent and probably more, and in view of this very large expenditure which the next Lessee of the road would no doubt be called upon to make, it would appear to me that the length of the lease should be very considerably increased over the term as provided in the present Act. Furthermore, the new lessee, whoever he may be, will be called upon to make extensive improvements in Atlanta and Chattanooga, both for passenger and freight facilities, including the purchase of additional lands and the construction of buildings. I will make this feature the subject of a special report, but incidentally will say that I estimate these proposed expenditures to be in the neighborhood of \$3,000,000.00.

“In this connection I will add that the Lease Act should contain some provision by which all real property acquired by the Lessee should, at the termination of the lease, become the property of the State of Georgia, so that in future years the Western & Atlantic Railroad will not find itself in the predicament it is now in. If necessary, and in order to protect the State, a provision should be made by which the State would reimburse the Lessee for such property that it may from time to time acquire. If such a provision had been made in the Lease Act of 1889, the Western & Atlantic Railroad would not today be practically squeezed almost out of existence and the large tract of land which the present Lessee has acquired in its own name

would in a few years become the property of the State of Georgia. Not only this, but if the Lessee knew that it would be reimbursed for this property by the State of Georgia, it would have no doubt proceeded along the line of progressive and aggressive railway managements and would have adopted the broad plan of acquiring land for terminal purposes, as instanced by the Southern Railway's tremendous purchases in the neighborhood of Inman Yards, all of which are shown on our maps.

“As a further argument for making these surveys, with a view of reducing grades and curves, distance and rise and fall between Atlanta and Chattanooga, I will say that the Chief Engineer of Construction of the Southern Railway stated to me personally that as soon as the re-construction and double tracking of the Southern Railway between Atlanta and Washington is completed, the Southern Railway intends to re-build the line between Austell Junction and Ooltewah Junction of its Chattanooga Division. If the present double track line of the Southern between Atlanta and Austell, and between Ooltewah Junction and Chattanooga may be taken as an earnest of the general character of the work that the Southern will do in its revision between Austell and Ooltewah Junction, it is safe to say that it will very materially improve its present main line with the resulting reduction in operating cost, and therefore the Western & Atlantic Railroad cannot afford to fall behind in this very important matter of re-building its line according to the most modern standards, in order to hold its present advantage as a low grade railroad.”

These foregoing estimates by Mr. Johnston are

based upon unit costs current in 1916. Since that date the cost of labor and materials necessary in construction has materially increased and to this extent the estimated cost would be increased, at this time.

PROPERTY NOT NECESSARY OR USEFUL FOR RAILROAD
PURPOSES.

Paragraph 7 of section 3, and paragraph 3 of section 5, of the Lease Act, directs the Commission to consider and determine—

(1) “What, if any, property is owned by the Western & Atlantic Railroad, not useful for railroad purposes, that could be properly and advantageously disposed of separately from the lease of the road;” and

(2) “The properties not used or apparently not useful for railroad purposes, with an estimate of the market value of such properties, with the uses to which they might be applied.”

The Commission has given careful thought to this consideration.

The freight and passenger terminal property of the road, in Chattanooga, lies in the very business center of the city, with a frontage of 428 feet on Ninth Street and 875 feet on Market Street.

That portion of the property fronting on these two streets, extending back varying distances of from sixty to one hundred feet is built up with inexpensive one- and two-story buildings now used by sub-tenants of the Nashville, Chattanooga & St. Louis Railway for commercial purposes. Part of these stores were converted from the old freight

office and warehouse on the property at the beginning of the present lease. The others have been erected by sub-tenants of the lessee under ground rentals.

It has been repeatedly suggested and urged, both in and out of the General Assembly, that this property is too valuable for railroad purposes and should be sold or exchanged for less centrally located property for railroad purposes, or that it should be segregated from the other terminal property, and improved and devoted to more productive uses, or separately leased for improvement and commercial uses.

At different times citizens of Chattanooga have complained as to railroad terminals, particularly freight terminals, being located in the very business center of the city and urged improvements and changes in the use of the State's terminal property so located. The Commission has given consideration to these suggestions and criticisms.

It is firmly convinced of the very substantial advantages that the Western & Atlantic Railroad enjoys over its competitors, in owning such centrally located terminals.

The convenient and easily accessible location of terminals, both passenger and freight, is an important factor in securing traffic. Railroad companies are, every year, spending large sums in obtaining and constructing terminals in the very heart of large cities. The Commission became satisfied that the State of Georgia could make no greater mistake than to part with any part of its terminal property in

Chattanooga, or to restrict its use by any kind of contract, to other than railroad purposes, as so needed.

The Commission is thoroughly convinced that in the course of time, although the State road so long as leased to the Nashville, Chattanooga & St. Louis Railway has the benefit of use of that road's terminals, every foot of its present terminal property in Chattanooga will be imperatively needed for railroad purposes.

The Commission is also satisfied that these properties as located can be improved and used for railroad purposes, in such manner as not to conflict in any degree with the convenience or interest of the City of Chattanooga or its citizens. Such uses and improvements as the Commission has in mind will be to the interest and profit of the Lessee and of the State, as well as the city, and it did not seem wise to the Commission, to undertake to withhold from the new lease any part of the State's terminal property in Chattanooga or to restrict in any way its use.

The temporary commercial use of the fronts on Market and Ninth Streets and partial use only of the vacant portions in the rear of the State fronts is only because the Western & Atlantic leased to the Nashville, Chattanooga & St. Louis Railway has the use of the lessee's terminals immediately adjacent. In the opinion of the Commission, it is only a question of time and a short time when the combined properties of the two roads will not be more than adequate to actual needs.

The State owns in Chattanooga two parcels or

city lots of land entirely disconnected and apart from its railroad or terminal property.

(1) One is a triangular parcel fronting 165 feet on Market Street, 128 feet on Georgia Avenue and 93 feet on Tenth Street. There is a four story and basement brick building on this lot, erected about 1891 by the Southern Express Company under ground lease from the State's lessee expiring with the lease of the road. Under the Lease Act and contract of 1889 the improvements become the property of the State upon the expiration of the lease.

Real estate values at Chattanooga, as in Atlanta and elsewhere, are depressed just at this time and it is somewhat difficult to arrive at a fully satisfactory conclusion as to the real value of this building and lot. From the best information obtainable, the Commission is of the opinion that this piece of property, under normal real estate market conditions, is worth approximately \$110,000.00 to \$125,000.00.

(2) The other parcel is a rectangular lot fronting 61 feet on Market Street, with a depth along Eleventh Street of 162 feet. Upon this lot is a four-story brick building, known as the Eastern Hotel. This building was erected about 1906. The lot and building we estimate worth approximately \$70,000.00 to \$75,000.00.

The character and arrangements of these two buildings are not such as to constitute them first-class rent paying properties, as they are not modern in either arrangement or conveniences.

As the Commission considered these parcels entirely unnecessary to the railroad property proper,

and as the railroad properties' rental value would not be largely, if at all, influenced by their separate disposition, the Commission excluded them from its lease invitations, and they have not been included in the new lease.

They do not come into possession of the State until the expiration of the present lease, and hence there is no compelling necessity for immediate disposition of them.

The Commission recommends that power and authority be given it, or some other State agency, to sell these two properties, upon favorable opportunity and that the purchase price be applied on the funded debt of the State by the proper State authority.

The foregoing described two parcels of property constitute all of the property owned by the Western & Atlantic Railroad, not useful for railroad purposes, which can be properly and advantageously disposed of separately from the lease of the road.

Paragraph 9 of Section 3 of the Lease Act directed the Commission to consider and determine—

“Whether or not it would be wise and expedient to reserve from any of said properties, either at the terminals or elsewhere upon the line, overhead or under ground rights, looking to their subsequent use separate from railroad purposes, with specifications and recommendations thereof.”

The Commission fully appreciated the many undesirable features connected with the use of the Western & Atlantic Railroad terminals through the very center of Atlanta to the west side of Central

Avenue, such as smoke, dust, noise, interruption of street traffic at Pryor Street and Central Avenue by train movements, and the general present unsightliness of physical conditions.

It had cognizance of the very laudable desire of the municipality and its citizens, as well as of nearby property owners, to eliminate, alleviate or improve these conditions if possible. The existing terminal station facilities, so prominently located in the center of the city, it frankly conceded were neither adequate, comfortable, sanitary nor artistic.

But the Commission also considered, with a sense of very deep responsibility, that it was charged by the State with the duty of making an advantageous disposition of a valuable railroad, and that it should *first* keep in mind the State's interest, and second, that this interest was in a railroad and its successful operation as a common carrier.

The Commission had been, as earlier stated in this report, impressed with what it believed to be a substantial and controlling factor in fixing the rental value of the Western & Atlantic Railroad, to-wit: its convenient, central and easily accessible terminal facilities in Atlanta and Chattanooga. It could not escape the conclusion that to destroy or impair the use of the road's terminal properties as terminal facilities would largely affect the road's rental value by nullifying its strategic advantage of location.

Subject to these considerations the Commission determined that it would receive and consider, with open-mindedness and without prejudice such suggestions for the improvement of the above men-

tioned conditions, as might be submitted by the City of Atlanta, or any civic bodies or by individuals.

It was further determined that if no suggestions or plans acceptable to the Commission were presented, it would undertake to reserve in any lease contract that might be made, the right to the State of considering, and submitting to the lessee, such suggestions or plans as might be developed or worked out in the future and during the life of the contemplated lease, with the thought that if acceptable to the State and to the lessee they might be adopted and carried into effect.

The only definite, concrete plan submitted to the Commission was presented by the Atlanta Chamber of Commerce. This was accompanied with maps, drawings, estimates, etc., prepared by the Engineering firm of Barclay, Parsons & Klapp of New York, for a plaza over the tracks in the center of the city and a general revision and change in conditions between Central Avenue and Hulsey Street to the West.

These plans with such details as were furnished to the Commission are on file in its records. The plans and suggestions as submitted were radically revolutionary of present conditions and situations.

They were referred by the Commission to its Engineer, with directions to study the same carefully, confer if possible with the Chamber of Commerce's Engineers and report to the Commission.

Subsequently this report was submitted, and is included here as information. It is as follows:

“I have been directed by you to make a more

comprehensive report on the 'Plaza Plan,' as presented through Mr. Douglas on behalf of the Chamber of Commerce, enlarging on the statement made by me before the Commission at its last session on the 5th instant.

"The first impression gathered from reading this report and listening to the statements of Mr. Douglas and Mr. Kriegshaber is that this is entirely a plan to provide passenger facilities, and everything is subordinated to that idea, with the exception that primarily the plan is designed to beautify, from a civic standpoint, the right-of-way of the Western & Atlantic Railroad, and the mere return to the State of Georgia for sequestrating its valuable property is incidental. My conversations with Mr. Douglas confirms this.

"Let us suppose there is no Western & Atlantic Railroad, but it is proposed to build a line from Chattanooga to Atlanta. The first consideration of the promoters of the project would be to secure adequate terminals in the two cities. How much would it cost the promoters of a railroad to acquire the land which the State of Georgia now owns in Atlanta? It would be almost prohibitive, and yet we are asked to surrender our strategetical position, both freight and passenger, for practically nothing whatever. It is true that the State will secure an interest in a Terminal Station which in my judgment is a good proposition considered by itself, because no one will undertake to say that the present conditions that exist at the old Union Station are not deplorable and must be remedied.

"The report first takes up the history of the Western & Atlantic Railroad, which itself is

the origin and reason for the development and growth of Atlanta, and creates a nuisance of the right-of-way of the Western & Atlantic Railroad. To that extent the report does not convey the right idea, but it is only fair to say that in my opinion the Engineers of the Chamber of Commerce have designed a plan for a passenger terminal which, with a few alterations of minor detail, is attractive and feasible.

“The report goes into great detail in stating the various objections to the present occupation and use of the Western & Atlantic right-of-way, forgetting, as I stated above, just what it has meant to the City, and seeks to convey the idea that it is really conferring a benefit upon the City and State in getting rid of this ‘nuisance.’

“The ‘Plaza Plan,’ as proposed, would afford great relief to the City, through the opening of four additional cross-town streets, where there are now but three, and the resulting increased value of property would probably compensate the City for the expenditure that this plan involves.

“While I have conceded that the plan for passenger terminals is feasible and desirable, I am wholly opposed to the suggestion for freight terminals, and earnestly urge that that part of it be rejected in toto.

“*First:* I doubt if a joint freight terminal operation of conflicting interests is feasible, or desirable. I have consulted a number of practical railroad men, who are conversant with the operations of freight terminals, and not a single one has endorsed the idea of such a joint freight terminal. I do not know of a similar operation anywhere, nor have I been able up

to this date to ascertain where such exists. I have asked Mr. Douglas to make an investigation along that line and let me know. I do find that at Jackson, Mississippi, there is a joint freight terminal operation between the Illinois Central, Yazoo & Mississippi Valley, which is a subsidiary line of the Illinois Central, and the Gulf & Ship Island Railroads, but the last named road has very little local business, and the bulk of its operations cover the handling of through traffic. Even then, there is great dissatisfaction at times, and my informant, who was connected with this joint freight terminal, being an Illinois Central employee, said he always gave the Illinois Central the first consideration, the Yazoo & Mississippi Valley next and the Gulf & Ship Island got what was left. I find that in the City of Savannah the Southern Railway has a joint freight terminal with the Central of Georgia, but the volume of the Southern's business there is so small that notwithstanding the great disadvantage under which it labors, it is considered economical to have this joint operation until such time as their business warrants an independent operation. In the City of Atlanta there is a joint operation by the Louisville & Nashville, Atlanta & West Point and the Georgia Railroad, the last two being practically subsidiaries of the Louisville & Nashville, but in this case I am told there is a great deal of friction and consequent dissatisfaction. Therefore, with such widely divergent and conflicting interests as exist between the Seaboard Air Line, the Central of Georgia and the Western & Atlantic, I do not believe that a satisfactory joint terminal operation could be arranged.

“Second: Under no circumstances do I think

that the State should consent to the removal of its valuable freight terminal facilities from their advantageous location near the heart of the wholesale and retail center of the City, for it certainly would make the competition of the Southern Railway on the one hand and the Louisville & Nashville Railroad on the other, formidable for the business that to a certain extent is now controlled by the Western & Atlantic Railroad, *through its accessibility to the wholesale and retail sections of Atlanta*. If the present plan should be developed to a conclusion, the promoters of the 'Plaza' scheme should be required to obtain property for freight facilities even nearer to the heart of the wholesale and retail sections. In this connection, I am able to say more or less positively that the property of the Seaboard Air Line, where the Nashville, Chattanooga & St. Louis and the Seaboard Air Line freight station now is, can be had for a consideration. It is my information that the Seaboard is engaged in quietly acquiring a right-of-way for a distance of about three miles, that will finally put its freight terminals within five blocks of 'Five Points,' which, by the way, is simply a further proof of my contention that the railroads are always seeking to locate their freight terminals as near to the heart of the city as they can get property, contrary to the idea advanced by Mr. Douglas on page 8 of the report in which he states, 'it is not believed advantageous either to the city or the railroads to continue indefinitely the operation of the freight terminals within the heart of the city.'

"I have long recognized that the site of the present Union Station is entirely too small to furnish adequate passenger facilities, and have

in mind a tentative suggestion, for the arrangement of the passenger and freight terminals, but have designed it only for the lines now using the Union Station, with the addition of the Seaboard Air Line, which has since withdrawn from using the Union Station. In this proposed plan, I did not surrender the advantage which the State possesses in having valuable rights close to the heart of the business section of the city, and my whole effort was toward making the team yard and freight houses even more accessible rather than as proposed by the 'Plaza Plan' scheme by removing it, not as shown on the report, 'a few hundred feet further away,' but nearly a half-mile farther, while the freight terminals of the Southern Railway and the Louisville & Nashville are not disturbed at all.

"It is also to be noted that the plan contemplates that the tracks along the business buildings abutting the right-of-way shall be abandoned, and when attention was called to this, Mr. Douglas said that in his opinion the City should compensate the State to the extent of paying a sum, which, when capitalized, would be equivalent to the freight receipts for the business done on these tracks. I am not entirely satisfied that this would be sufficient compensation, because there is a certain value that attaches to a piece of property that has railroad facilities and to the railroad, and this value would be eliminated if the tracks were removed.

"Another very important matter to be considered in this plan is that the Western & Atlantic round house and similar facilities are entirely occupied by the passenger station and plaza, and certainly the State should either be given a money consideration or be furnished

with land adjacent to its right-of-way to provide similar facilities, and as I have already recommended in a previous report, that something along this line be done, the plan to that extent is in line with my own ideas.

“It is proposed that the entire space occupied by the State’s right-of-way, with the exception of room for two tracks, which shall be put in twin tunnels, shall be filled with earth, in order that the trees, shrubbery and grass in the plaza may be given a good chance to grow. I know that trees cannot grow unless the roots have ample opportunity to go down into the soil, but if this space is ever filled with earth, it can hardly ever be returned to its present use. While electrification in Atlanta is not at present in sight, it is nevertheless coming at no great distant day. When that time arrives, there is no reason why all of our right-of-way should not be utilized, and if the plan is adopted to make a concrete tunnel or subway of the entire area, it will ultimately make all this underground space available and of consequent value. So far as the nuisance feature is concerned, I believe this can be regulated by proper policing.

“In the absence of detailed figures, showing quantities, unit prices, etc., I am unable to criticize the estimates of \$6,500,000.00 which Mr. Douglas thinks will be sufficient to entirely complete the work, but when it is considered how much property will have to be acquired in order to satisfy the Central of Georgia and the Western & Atlantic Railroads, beside the development of the physical features of the plan, I do not think that the estimate is anything like sufficient.

“Assuming that the Nashville, Chattanooga & St. Louis Railway makes a satisfactory re-

newal contract, I have serious doubts that they would be willing to pay as much rental for the property if the proposed plan is carried out as if they had unrestricted use of it, because, as shown above, they are put at a disadvantage by reason of losing their present terminals. If anything, we should endeavor to strengthen the position of the road by the purchase of more property within easy access of the whole sections."

Subsequent to the discussion of the specific plan proposed by Barclay, Parsons & Klapp, a Commission created by the City Council of Atlanta appeared before the Commission with the request that the Commission, in lieu of the further consideration of the specific plan which had been submitted, insert in any contract of lease it might make, the following provision, to-wit:

"If and when the City of Atlanta adopts plans and perfects the necessary finances to carry them out for the elimination of the present dangerous and unsanitary conditions between Central Avenue and Hulsey Street, or such part of this area as its plans may cover, then it shall be incumbent upon the Lessee not to resist the carrying out of these plans but to co-operate with the City and the other Transportation Lines in the carrying out of the proposed improvement; provided, however, that the other Transportation Lines shall have approved the said plans, and provided further that the said plans shall be submitted to the Re-leasing Commission, if in existence, and if not, to the Railroad Commission of Georgia, and shall have received the approval of the said Commission before it shall be incumbent upon

the Lessee to permit and aid in their execution, also that no expense for the work be charged to the Lessee for facilities which shall be provided equally as good as they are now existing.”

In view of the conditions already discussed and believing that improvements therein and in the terminal facilities themselves were desirable and should be provided for in any future contract, if the same could be done without seriously affecting the rental value of the road, the Commission decided to make a vigorous effort to cover the subject by including the following provision in any proposed lease contract, to-wit:

“Should the City of Atlanta perfect and submit plans for a change in the character and use of the terminal properties within the said City, and such plans be approved by the Western & Atlantic Railroad Commission or other competent authority of the State, the Lessee will give its consent and lend its co-operation, if in its judgment the changes proposed would not injuriously affect the value of the use of the Western & Atlantic Railroad as a whole, or interfere with its convenient and successful operation.”

When negotiations for a lease reached the point of considering the specific conditions in a contract, the Commission urged the above provision.

It is unnecessary to recite here the reasons urged for and against such a provision. The conclusion of the matter was that the proposing Lessee stated with apparent finality that it would not execute a lease contract including this clause.

The Commission being of the opinion that if the

conditions expressed in the proposed clause should come about at any time during the life of the new lease, mutually desirable changes in the Atlanta terminals could be made as easily as if expressed in a conditional clause in the lease contract, and not desiring to lose the opportunity of closing a lease contract upon what it considered, in every other respect, favorable terms, abandoned further insistence.

Under the lease contract subsequently executed, the Commission considers that this entire question is open to discussion by the State, the Lessee and the City, whenever conditions warrant; there is nothing in the contract of lease prohibiting agreement, at any time, upon such changes in the character and use of the Atlanta Terminals as may be mutually satisfactory and agreed to by the State, its Lessee and the City of Atlanta.

TAXATION OF THE STATE'S PROPERTY, OR COMPENSA-
TION IN LIEU THEREOF TO CERTAIN
COUNTIES.

Paragraph 3, Section 3, of the Lease Act directs the Commission to consider and determine—

“Whether the property in the hands of the Lessee should be taxable, and if so, to what extent and in what manner.”

Paragraph 4, same section, directed that the Commission should consider and determine—

“What special consideration should be given the Counties through which the road runs as compensation for the cost of litigation, or other special charges that may be cast upon them by reason of the operation of the road.”

Section 13 of the Lease Act authorized the Commission to provide in a lease contract for the payment by the Lessee of County taxes, only, to the counties through which the road runs.

Upon mature consideration, the Commission reached the unanimous conclusion that property of the State in the hands of the Lessee under contract of lease, located within the State, ought not to be taxed by the State or by any authority under the State. To have placed such an added burden upon the property, not upon the Lessee, it stands without argument, meant just that much of a reduction in the rental value of that property.

It is axiomatic that the rental value of any property however owned is directly affected in proportion to the restrictions, burdens and expenses placed upon or attendant to its use.

A State tax of five mills upon a valuation of the State road at \$10,000,000.00 would have meant an additional expense attached to its use of \$50,000.00 per annum, and of course any sane bidder for its lease and operation would have considered this in arriving at a conclusion as to the proper rental to offer.

There would have been no benefit to the State in securing \$50,000.00 per annum by taxation of its own property, and losing \$50,000.00 per annum in the rental which would otherwise have been paid.

The Commission was further convinced of the unsoundness on general principles of the proposition of the taxation of public property by the owning public.

In the consideration of the question raised in Paragraph 4, as to compensation to the Counties through which the road runs for costs of litigation thrown upon them by reason of the operation of the road, the Commission was impressed with the fact that there might be some equities in the suggestion. It was quite evident, however, that any burden of this character placed or attempted to be placed upon the Lessee, would inevitably fall upon the State, and of course in part upon these very counties themselves in a material reduction of the rental value of the road.

The Commission was further of the opinion that the litigation costs under discussion were in reality not as heavy or burdensome as the public in the counties affected probably thought.

It should be remembered that the six counties traversed by the State road are not all of the counties in Georgia which carry these burdens. There are twenty-seven other counties in the State with like burdens because of charter tax exemptions enjoyed by certain roads traversing them. These exemptions were granted by the State; that is to say these burdens were placed upon the counties by the State, supposedly for the benefit of the State. The exemption, however, is to the railroads themselves.

The burdens borne by the six counties in which the State's property is located, it may be truthfully stated, result in direct benefit to the State, and are to this extent distinguishable from those borne by the other twenty-seven counties mentioned, resulting in direct benefit to the railroads themselves.

The Commission was impressed with the view that if the State were to provide special compensation to the six counties through which its railroad runs, it might later be confronted with the equities of demands by the twenty-seven other counties similarly situated as to the railroads operated through them. For these and other reasons the Commission reached the conclusion that it would be unwise to undertake to provide in a lease contract for the taxation of the State's property by any State Governmental authority, or to attempt to provide therein for special compensation to the counties in which the property is located for litigation costs that may arise out of its operation by a lessee.

LENGTH OF LEASE TERM.

Paragraph 1 of Section 3 of the Lease Act directs the Commission to consider and determine—

“the term of years for which the lease should run”

subject to the provision in Section 6, that the term should not be for more than fifty years.

After careful consideration of this subject the Commission was of the opinion that prior to the consideration of actual proposals no final conclusion as to the length of term should be had, further than that a term of less than thirty years would not procure an advantageous rental sum. In discussing this subject, the Commission kept in view the further fact that the present lease of the Cincinnati Southern Railroad, owned by the City of Cincinnati, expires on October 12th, 1966, and the desirability

of having a new lease of the State road to expire on the same date, so that the possibility of a lease of both roads by the same interests, and their operation as one operating line between Cincinnati and Atlanta might be, upon the expiration of the two separate leases, kept in view. The Commission therefore determined to invite lease proposals, for two terms, to-wit:

For a period of thirty years from December 27th, 1919, and for a period ending on October 12th, 1966.

ADVERTISEMENT INVITING PROPOSALS FOR LEASE AND
FOR EXTENSION TO THE SEA.

It has been the purpose of the Commission in the foregoing pages to report the manner of its procedure in handling the different subjects which it was directed to consider, preliminary and prior to actual effort to re-lease the road, and to inform the General Assembly in a general way of the results of its preliminary investigations and studies.

As already stated, the Commission was of the belief that the primary duty imposed upon it was to ascertain, consider and determine the terms and conditions upon which the Western & Atlantic Railroad should be re-released, and in the event a lease upon terms satisfactory to the Commission, as advantageous to the State, and in accordance with the provisions of the Act, could be made, the Commission was empowered, and it was its duty to prepare and certify a contract of lease which should be executed in behalf of the State by the Governor.

The General Assembly recognized the fact that a considerable length of time would be required to assemble the data and facts necessary for the Commission to determine upon what terms and conditions the road should be leased.

It also recognized the fact that it was possible that no satisfactory lease might be accomplished. It therefore directed the Commission, concurrently with its assembling of facts and data bearing upon a new lease—

(1) To consider and report what was necessary in order to enable the road to be independently operated by the State, and

(2) To gather information, and report to this General Assembly upon the feasibility and desirability of extending the Western & Atlantic Railroad to the sea, either by purchase of an existing railroad or new construction. The Commission was authorized to entertain and accept a proposal from any responsible source, for the acquisition by purchase or construction of an extension to the sea.

In its invitation for proposals for the lease of the Western & Atlantic Railroad, the Commission therefore decided to include an invitation for proposals for the extension to the sea, in order that if any such proposals were submitted they might be considered concurrently with any lease proposals received.

The Commission attaches hereto, marked "Exhibit C," a copy of the invitation for proposals, as advertised in newspapers in Atlanta, Savannah and New York.

The Commission had previously advertised for

proposals as to extension only in newspapers in Savannah, Brunswick, Darien, Saint Marys, Macon, Augusta and Atlanta.

In response to the invitation for lease the Commission received only one formal proposal, in compliance with the terms of the invitation, this being from the Nashville, Chattanooga & St. Louis Railway. A copy of this original bid is attached hereto, marked "Exhibit D."

Efforts were made, in personal interviews by the Chairman of the Commission, to interest other railroad officials in the subject and to secure other lease proposals, but without success.

After consideration of the lease proposal submitted by the Nashville, Chattanooga & St. Louis Railway, the Commission unanimously decided that it was not acceptable and should be declined.

Under the provisions of Section 6 of the Lease Act, the Commission was authorized to—

“Invite competitive bidding or conduct direct negotiations with prospective bidders, or both.”

Under this authority the Commission decided to conduct direct negotiations for a lease with the Nashville, Chattanooga & St. Louis Railway, using the proposal it had formally submitted in response to the public invitations as a basis of the negotiations. An extended series of conferences and negotiations then followed the different steps and stages of which, it is perhaps unnecessary to detail in this report.

The records and minutes of the Commission contain and set forth the same in full, and these are

open, of course, to inspection and examination by the General Assembly.

These negotiations finally resulted in an agreement upon the terms and conditions of a formal contract of lease, which has been duly certified to the Governor and executed by him in behalf of the State.

Within thirty days prior to the making of the lease, the Commission caused to be prepared and adopted, after a careful expert examination of the road, a full and complete report of the condition of the road, including an inventory of all personal property, rolling stock, equipment, etc., to be included in the lease, etc., and the same has been filed in the Executive Office.

THE NEW LEASE CONTRACT, TERMS, CONDITIONS,
PROVISIONS, ETC.

The Commission attaches hereto, as "Exhibit E," a verbatim copy of the new lease contract as executed by the Governor and the Nashville, Chattanooga & St. Louis Railway on May 11th, last.

Without undertaking a complete analysis of the contract, the Commission deems it pertinent to direct attention to certain features thereof:

THE LESSEE.

The lessee is The Nashville, Chattanooga & St. Louis Railway, a corporation under the laws of Tennessee, with its principal office at Nashville. It is also, as is well known, the present lessee.

The Nashville, Chattanooga & St. Louis Railway is one of the strongest and best managed systems

in the Southeast, having a successful and profitable corporate history of nearly seventy years. Its owned lines extend from Chattanooga to Nashville, and thence to Hickman, Kentucky, a Mississippi River gateway to the South, with branch lines to Pikeville, Tennessee, and Huntsville and Gadsden, Alabama. It also operates under lease an important line from Paducah, Kentucky, to Memphis, Tennessee, thus reaching these two Mississippi River gateways to the South. The total mileage, owned and leased, operated is 1,230 miles, crossing or penetrating the States of Tennessee, Georgia, Alabama and Kentucky and reaching the Mississippi at three crossings. The Company is controlled by the Louisville & Nashville through a majority stock ownership. On June 30th, 1916, the Company had a Profit and Loss surplus of \$10,932,849. A glance at the map will show its value to the Western & Atlantic Railroad and also the value of the Western & Atlantic to it.

As is known, it has operated the State road under the present lease since December 27th, 1890, practically twenty-six and a half years. During this period its relations with the State as lessor have been without friction or unpleasantness or dispute. It has never been a day late in making rental payments according to contract. It has expended considerable sums on the improvement and betterment of the State's property, and there is no comparison between the physical condition of the road, road bed and superstructure at this time and its condition when taken over in 1890, under the existing lease.

Judged by every trait going to establish a character as a "good tenant," the Nashville, Chattanooga & St. Louis Railway has proven its claim to that designation by its conduct as lessee of the State road for the past quarter of a century.

A FIFTY YEAR TERM.

The term of the new lease is for Fifty Years from December 27th, 1919.

There may be individuals who will consider this is an excessive length of time for which to rent a piece of property. It is, humanly speaking, a long time, but in the minds of the members of the Commission it is none too long.

If it be later demonstrated that the annual consideration to be paid for the road constitutes a fair return upon the State's investment, then it may be asked why not secure the State from the uncertainty of the future by a fair contract with a good lessee?

It may be said that the State cannot foresee the future of the property and that if \$50,000.00 per month is a fair rental now, is it not probable that with continued normal growth of population and development of resources in this section a larger rental could likely be secured at the expiration of twenty-five years? This suggestion may be strongly urged as possible or probable, but on the other hand, could not the lessee insist with logic and force that it is guaranteeing the future of this property, with more risk than the State in securing what is a fair rental measured by the experience of the past for so long a period. The Commission is impressed with the fact

that the future, in so far as rail carriers are concerned, is not clear.

Governmental regulation of rates, and hence of profits to the carrier, is a fact.

The lessee takes the road subject to such regulation, and also to supervision and direction, as to the adequacy, sufficiency and efficiency of services.

Regulatory legislation even now borders, in some directions, upon the field of internal management, and there can be no question but that recent day legislation, including full crew laws, safety appliance laws, hours of labor enactments, however wise such legislation may be, has had the effect of increasing operating costs.

Since 1890, during the existence of the present lease, both freight and passenger tariffs upon the Western & Atlantic Railroad have been materially lowered by Governmental authority. The lowest freight and passenger tariffs in effect today in Georgia are charged by the Western & Atlantic, and notwithstanding the promulgation and enforcement of these rates lower than in 1890, there has been no reduction in the rental stipulated in the contract. Of course there should have been none, it is only the bearing that such happenings have upon our forecast as to the future, that provokes the mention of them.

The new lessee, under the provisions of the executed contract, will for fifty years pay the stipulated rental, whether the rates under which it is to be earned are cut in half or not, by the Lessor in its Sovereign capacity.

Even Government ownership of all the rail carriers of this country is no longer spoken of as the dream of a visionaire.

Under the provisions of the new lease contract, large expenditures, \$3,000,000.00, for capital improvements on the property of the State, must be made during the life of the lease.

If the lessee is to recoup itself for these expenditures prior to the expiration of the lease, as it is fairly entitled to do from enlarged facilities and resulting economies, these large expenditures should be and doubtless will be made during the earlier part of the lease. The improvements as made at once become the property of the State.

Should the Federal Government take over common carrier property in this country, at any time after this lessee had made these improvements and prior to having recouped itself therefor, it would be the loser and the State of Georgia the gainer.

The Commission had not proceeded far in its efforts to secure an advantageous lease of the Western & Atlantic before it became more appreciative than ever that it had imposed upon it no easy task.

Notwithstanding public invitations and personal solicitations for proposals for a lease, it received only one proposition. Renting a railroad is not comparable to renting a store or a farm. There are many people who can utilize stores and farms and desire to rent them. There are not so many seeking to rent railroads.

Comparatively few railroads, in these times, can profitably operate on local traffic. Connections and

feeders are all essential. Railroads are more and more being merged into systems and permanency in their organization and connections is desirable.

The Commission became convinced that a thirty-year term would not bring as large a rental as a longer term, and with a view to securing the largest obtainable annual rental, and weighing the other considerations above mentioned, it reached the conclusion that the term ought to be for at least fifty years. The Commission is satisfied that it is to the substantial interest of the State to have the road out of politics and its use and disposition removed from frequent agitation.

The people of the State have manifested a desire and purpose to look upon the property as an investment handed down from their fathers. This view being accepted, a reasonably long term lease at a fair rental seemed preferable to a short term lease with recurring agitation and discussion on the stump and in legislative halls as to whether to sell or lease, to say nothing of the uncertainties and risks of governmental policies and changes.

TERMS OF THE LEASE.

Under the Lease of 1870 the cash rental paid to the State under a twenty-year term was \$25,000.00 per month. Upon the expiration of this lease, the State was presented by the Lessee with claims for betterments, improvements, fixtures and taxes aggregating \$711,890.87, the sum of \$124,277.50 being for taxes on the State's property located in Tennessee. The Commission appointed by the State to

examine and pass upon these claims finally allowed the lessee the sum of \$99,644.04, which was subsequently paid by the State. This was practically \$5,000.00 per annum, so that the State received under the 1870 lease a net annual rental of \$295,000.00, or a total sum of \$5,900,000.00 for the twenty years. This lease covered all of the properties of the Western & Atlantic.

Under the lease of 1890, the cash rental paid to the State under a twenty-nine year term, is \$35,001.00 per month. In addition the Lessee obligated itself to pay and is paying all taxes levied by the State of Tennessee or under its authority upon the leased property located in Tennessee, all Federal taxes and an income tax to the State of Georgia of one-half of one per cent upon the net annual income from the leased property.

This lease also includes all of the Western & Atlantic properties.

Under this lease the State will have received upon its expiration on December 27th, 1919, for the twenty-nine years a total net cash rental of \$12,182,364.16.

In addition to the rental, taxes paid by the Lessee to June 30th, 1916, aggregated \$338,054.94, and upon the expiration of the lease will approximate \$385,000.00. The proportion of this levied upon the property of the State in Tennessee would have fallen upon the State but for the provision of the Lease Act requiring the Lessee to pay. In reality, therefore, these sums constitute a part of the rental.

The net cash rental to be paid to the State under

the new lease contract to take effect on December 27th, 1919, for a term of fifty years is \$45,000.00 per month, or \$540,000.00 per annum, or \$27,000,000.00 for the fifty-year term.

The Southern Express Company building and lot and the Eastern Hotel building and lot, as heretofore stated, are not included in the lease of the railroad, but have been reserved for separate disposition.

In addition to the net cash rental and as a part of the consideration of the lease, the Lessee stipulates in the contract that it will expend during the term of the lease in betterments and additions to the property leased, properly chargeable to capital account under the Interstate Commerce Commission's accounting rules, and exclusive of ordinary repairs and maintenance to keep the property in first class condition, so as to adequately and efficiently discharge its duties as a common carrier of passengers and freights, *not less than* the average annual sum of \$60,000.00, or a total of \$3,000,000.00, as a minimum for the life of the lease. Should this minimum not be expended in capital additions to the State's property, any balance unexpended is to be paid to the State in cash. The Railroad Commission of Georgia is to verify and approve these expenditures annually.

Property acquisitions for right-of-way necessary or advisable for revision of line, double-tracking or other additional tracks are to be at the expense of the Lessee, but title is to be taken in the name of the State.

In addition to the net cash rental of \$540,000.00 and the minimum average annual expenditures for improvements and additions to capital property account, the Lessee is to pay all taxes and assessments on the leased property of the State located in the State of Tennessee; all income and other taxes or charges of any character levied or assessed by the United States, and taxes in Georgia on rolling stock and other equipment and property owned by the Lessee and used on the State Road, which is to be taxed in Georgia like other railroad property. Under the existing lease the Lessee has not paid such taxes.

Counties and municipalities along the line of the road will receive their prorate of taxes derived from this source.

The lease contract contains a feature, new as to the present lease, which in the mind of the Commission is of very great importance and value to the State. This new feature provides just and reasonable terms, under which at the expiration of the lease, the State will have the option to take over properties acquired by the Lessee in its name and at its expense, during the life of the lease, for use in connection with the State Road.

The Nashville, Chattanooga & St. Louis Railway has acquired, and now owns and uses in connection with the road, exceedingly valuable and desirable tracts of land in and near Atlanta, which, had the existing lease contained a similar provision, could have been taken over by the State at a fair price.

As collateral security for its faithful compliance with the lease contract the Lessee is required to

deposit with the State Treasurer, recognized valid bonds of the State of Georgia, or of the United States, of the par value of \$600,000.00, the equivalent of one year's rental and obligatory capital improvements.

The Commission submits the following comparison of estimated returns under the new lease with those received under the existing lease, to-wit:

UNDER THE NEW LEASE.

Yearly net cash rental into the State Treasury	\$540,000.00
Minimum annual cash expenditures for capital improvements and betterments, during the life of the lease, exclusive of and in addition to expenditures for upkeep and maintenance of the leased property in first-class condition.	60,000.00
Estimated yearly rental values of Chattanooga properties reserved and not included in new lease, but included in old lease with the railroad property	13,000.00
Estimated annual tax accruals to the State on rolling stock and equipment owned by Lessee, not taxed under old lease.	5,000.00
Estimated County, Municipal and School District tax accruals on rolling stock and equipment owned by Lessee.	5,000.00
Taxes in Tennessee on all leased property to be paid by Lessee, estimated.	30,000.00
Total	<hr/> \$653,000.00

UNDER OLD LEASE.

Yearly net cash rental into the State		
Treasury \$420,012.00
Yearly income tax paid State, average 25		
years	1,420.00
Taxes in Tennessee on all leased prop-		
erty paid by Lessee, estimated.....		25,000.00
<hr/>		
Total \$446,432.00

Increase yearly rental to the State and
 payments for the State under new
 lease over the old lease. . \$206,568.00

All the improvements, additions to and betterments made on the State's property during the life of the lease become the property of the State at the expiration of the lease, without charge or off-set. The need of extensive improvements on the property was discussed during the negotiations for the lease. Contemplated expenditures for these improvements constituted a part of the consideration of the lease and the minimum which must be expended during the life of the lease was fixed at \$3,000,000.00. It was agreed that improvements in freight and passenger facilities at Atlanta and Chattanooga are necessary.

The State and the Lessee own real estate in the business heart of Chattanooga, which thrown together are ample and ideally adapted to use for modern passenger and freight terminals and the Commission is confident in the opinion that the business of the Lessee and the growth of Chattanooga will

at no distant day require that the State's property now vacant in part, be used for modern terminal facilities.

Terminal facilities in Atlanta are no less inadequate, there being practically no local freight facilities, except as rented from and jointly used with the Seaboard Air Line.

The times are so uncertain and conditions particularly relating to large construction work so unsatisfactory, that the Commission found it impossible, to press with reason and fairness, for positively definite stipulations as to particular betterments, double-tracking, revision of line, etc., or as to actual periods of time within which they should be considered or undertaken. The Commission is of the opinion that such undertakings will follow when business requirements fairly demand them and that under a fifty year lease liberal expenditures to meet these requirements will be justified.

As shown in the estimate above the annual value of the new lease to the State, including improvements to be made and taxes to be assumed in Tennessee and paid in Georgia, is approximately \$653,000.00, which for the life of the lease will aggregate \$32,650,000.00.

REASONS FOR CONCLUDING A LEASE AT THIS TIME.

Inquiry may be made as to whether it was wise for the Commission to have negotiated a new lease under existing transportation conditions and problems in this country, or so long as two and a half years in advance of the expiration of the present lease.

These questions were very carefully considered by the Commission.

It appeared to the Commission that it was absolutely necessary for the State to know in advance of the expiration of the present lease what use of the road should be made thereafter.

If it could not be re-leased advantageously and State operation became necessary, from two to three years' time, and from two and a half to three million dollars for the acquisition of necessary terminal properties, erection of needed buildings and the purchase of equipment would be required.

Because of the high prices of equipment, materials and labor now prevailing and likely to continue for a considerable period, it was not considered a desirable time for such an undertaking.

The logical Lessee was the present Lessee. The State Road was and is a desirable and important link between the Southern terminus of the Nashville, Chattanooga & St. Louis Railway at Chattanooga, and the Western terminus at Atlanta of its allied lines, the Georgia Railroad and the Atlantic Coast Line to the East and the Atlantic seaboard.

It was important to the present lessee for it to know sometime in advance of the expiration of its present lease whether it could secure a new lease or would have to seek another connection. It evidently desired to continue the lease for another term.

Had it been compelled to wait one or two years longer it might have made other connections and no longer desired a new lease.

Other connections were possible.

The history of the application of certain parties for a charter for a new road from Cartersville to Atlanta, practically parallel with the Western & Atlantic Railroad, admittedly in the interest of the Louisville & Nashville Railroad; the legislation prohibiting the grant of the charter prayed for and the litigation attacking the constitutionality of the legislative enactment is well known to the General Assembly. The Act was sustained in the Superior Court, Fulton County, but the case was carried to the Supreme Court where it was pending for some time.

On February 26th, 1917, the Supreme Court handed down its decision, in which it was held that the Act in question was unconstitutional.

While this litigation was pending the Commission was forced to a consideration of what might be the probable effect of a final decision unfavorable to the State.

The one and only proposal it had been able to secure had been submitted at a time when the lower Court had sustained the Act and all of the negotiations between the Commission and the proponent had been based on that one proposal.

It was possibly within the power of the proponent to withdraw its bid and decline further negotiations should the decision to be handed down by the Supreme Court materially change the conditions under which the original bid had been submitted. Of course the Commission does not intimate that this would have been done, but it had to consider the possibilities.

It was therefore deemed wise and prudent, other considerations being given due weight, to expedite negotiations and close a lease as soon as satisfactory terms and conditions could be reached.

Perhaps of as much real importance however, as the considerations already mentioned, was the fact that there is prevalent throughout the country, in the minds of steam railroad operators and investors, fear and doubt as to the solution of questions and problems vitally concerning the future of rail operations, such as of governmental policies of regulation, control or ownership; hours of labor and wage scales; problems of electrification, and the growing importance of motor truck competition, etc. The Commission, of course, was without assurances that this state of depression might not become even more acute, or might not materially affect the rental value of the road; and therefore considered this condition as justifying prompt action on its part.

AGREED SETTLEMENT WITH PRESENT LESSEE AS TO
RETURN OF LOCOMOTIVES AND ROLLING STOCK,
AND PAYMENT FOR EQUIPMENT, FURNITURE, SUP-
PLIES, ETC., DESTROYED OR CONSUMED.

The second paragraph of Section 6-A of the Lease Act makes it the duty of this Commission

“To make all settlements and adjustments touching the return of the road, its appurtenances and property of every kind, included in the present lease at the expiration of the same, in accordance with the terms and conditions of the present lease contract and thereafter make delivery to and take receipt from the new lessee

under this Act, of all property or properties leased hereunder.”

The first paragraph of the same section requires the Commission

“Within thirty days prior to the making of a lease” to examine the road, road-bed and its appurtenances and prepare a full and complete report of the condition thereof, with this further mandate, to-wit:

“The said Commission shall also include in said report a full and complete inventory of all personal property, rolling stock, equipment, supplies, tools, etc., to be included in the lease, as received from the present lessee, together with a statement of condition and estimated value.”

A superficial reading of this section will show the difficulty of a strict compliance with its requirements. Within thirty days prior to the making of a lease, the Commission was required to make an inventory of the personal property to be included in the lease, as received from the present lessee. This property manifestly could not be received from the present lessee until the expiration of its lease, nor could it be known with absolute certainty what items would be turned over, nor therefore what would be included in the lease.

The Commission however undertook, with the hearty co-operation of the present lessee, within thirty days prior to the making of the lease contract subsequently executed, which had been agreed upon, but not executed, to make the required full and complete inventory

It found itself confronted with difficulties arising out of the intent of the Act of 1889, authorizing the present lease, as to how personal property, rolling stock, equipment, etc., were to be returned upon the expiration of the lease.

An examination of the inventories prepared for that lease and of the receipt given by the present Lessee showed that the State turned over to the present Lessee locomotives and rolling stock, particularly described in the inventories, valued by the State at the time at \$361,041.00. The receipt given by the then President of the Lessee Company recited that the locomotives and rolling stock turned over had a value of only \$260,000.00.

There was also turned over other personalty, such as machine shop equipment, tools, supplies, office furniture, etc., of the value of \$33,093.60, this valuation being agreed to by both the State and the Lessee.

In working up the inventory of locomotives, rolling stock, and other personalty to be included in the new lease, the Commission found that there were only a few of the original locomotives and rolling stock in use or in existence, such as found being out of date and of small carrier or money value.

The supplies originally turned over had long since been consumed; the office furniture worn out or destroyed, with only a few pieces here and there of practically no value. The machine shop equipment had served its day and usefulness and had been junked, the remaining portions of it stored in the freight warehouse at Ringgold.

A careful study of the Act of 1889 left it uncertain

and doubtful as to how all of this old rolling stock and equipment was to be accounted for upon the expiration of the present lease, and of course until this was settled it was impossible for this Commission to inventory what was to be included in the new lease.

There was a difference between the State and the present Lessee, originating at the very beginning of the lease, of \$100,000.00, as to the value of the locomotives and rolling stock. Neither the Act nor Lease Contract indicated how these differences should be reconciled.

This Commission was able to find of the \$33,093.60 other personal property leased less than \$500.00 worth.

In view of all the circumstances and conditions and of the difficulties in ascertaining the clear intent of the Act and contract, and in further view of the fact that the present Lessee was to be the future Lessee, the Commission concluded that it was to the interest of the State to make an agreement or an equitable adjustment at this time instead of postponing the same until December, 1919.

The adjustment agreed upon is set forth in full in a resolution attached to the lease contract and constituting the concluding part of "Exhibit E," hereto attached.

From this it will be noted that the Lessee under the new contract agrees to receive all of the old locomotives and rolling stock as if actually in existence and of the agreed value of \$361,041.00, as estimated by the State at the beginning of the pres-

ent lease, instead of at the value claimed by Major Thomas, to wit: \$260,000.00, and to account to the State at the end of the new lease at the State's valuation.

It will also be noted that the present Lessee has agreed, upon the expiration of the present lease, to pay the State in cash the sum of \$33,093.60 for the machinery, supplies, furniture, etc., originally leased and since discarded, consumed or no longer useful, that being the agreed value thereof in 1890.

Included in the office fixtures thus valued, the one really valuable and interesting relic found to be in existence and useful was a large antique "Grandfather's" clock, which many years ago, prior to the present lease and probably prior to the 1870 lease, had been purchased and used as the official time-keeper for the road's operations.

Because of its history and past association, Mr. John Howe Peyton generously returned this old clock, in perfect running order, to the Commission, without charge or deduction. The Commission asked the Governor to receive the same for the State, and this he has done, placing it for permanent keeping in the Governor's reception room.

EXTENSION TO THE SEA.

Section 16 of the Lease Act instructed the Commission to make report to this General Assembly—

1. Upon the feasibility and desirability of extending the Western & Atlantic Railroad to the sea;
2. What real estate the State of Georgia owns on the Coast, available for deep water ter-

minals for the Western & Atlantic Railroad, its acreage, location, depth of surrounding waters, accessibility to ocean vessels, etc;

3. Such information as it could secure of any actual surveys for roads from any point on the sea coast towards Atlanta, also of any prospective railroad, with maps showing surveys, construction, counties traversed, together with estimates of cost of construction and equipment;

4. Concerning the probable earning power and value of extension of the Western & Atlantic to deep water;

5. What aid the counties through which such an extension would run would give to the State; and

6. What offers of construction and equipment might be submitted by any person, association or corporation.

7 In addition to the foregoing the Commission was given authority in an amendment to the Lease Act, approved August 19th, 1916, to construct or purchase any existing line to the sea, in whole or in part, and to invite proposals to this end, and to pay for such acquisition or construction in bonds of the State, provided the issuance of such bonds was authorized by proper Constitutional amendment.

Complying with these directions this Commission reports:

1. That in its opinion it is feasible to extend the Western & Atlantic Railroad to the sea, in the sense that extension is practicable and can be accomplished or made.

The Commission is also of the opinion that such extension is not desirable at this time. There is now

in operation from Atlanta to Georgia ports four routes or lines of railroad, to-wit: The Atlanta, Birmingham & Atlantic to Brunswick; the Central of Georgia to Savannah; the Georgia Railroad via Camack, and the Savannah & Northwestern to Savannah; and the Southern Railway to Brunswick and Savannah. The owned lines of the Southern and the Central of Georgia extend also to Chattanooga, the western terminus of the Western & Atlantic. The existing lines to Georgia ports are abundantly able to handle all traffic now offering or likely to offer for years.

Whatever benefit there is in competition between rival rail routes or at ports is secured by the existence of these four routes, between none of which is there any corporate connection. The Commission does not believe there is any public necessity or convenience demanding the construction of another line from Atlanta to Savannah or Brunswick.

Under existing conditions, as it sees them, to construct another rail line would be economic waste in that it would be an unnecessary investment of capital and a further division of traffic not now of such volume as to wholly utilize existing transportation facilities.

The Commission is not of the opinion that an extension of the road to deep water would prove to be a material factor in freight rate control.

2. It appears to be generally accepted that the State of Georgia owns a large tract of land, perhaps between two and three thousand acres, a part of which is salt marsh, lying between North River,

Cumberland River and St. Mary's River, excluding about 725 acres known as Point Peter Reservation, owned by the United States since 1818.

This allegation of title in the State of Georgia is apparently based upon the fact that the records of land grants by the State, in the Secretary of State's office, do not show grants covering approximately 2,500 to 3,000 acres of this tract, to individuals, and upon the further fact that there are no known claimants of title adverse to the State. The tract thus supposed to belong to the State has a frontage of approximately four miles on Saint Mary's River, Cumberland River and Cumberland Sound.

Point Peter is about two miles from the town of Saint Mary's and about four miles from the open sea.

The Commission requested its Attorney to make an investigation as to the State ownership of these lands.

The result of this investigation is shown in his report to the Commission, as follows:

"In compliance with the request of the Commission I have caused investigation to be made for the purpose of ascertaining what, if any, property remains ungranted by the State on and adjacent to the Saint Mary's River.

"The investigation was first directed to ascertaining the title to the lands fronting on the Saint Mary's River between Point Peter Creek and North River, formerly known as Pagin's Creek; a large part of which is occupied by the United States military reservation, known as Point Peter.

"I find recorded in the office of the Secretary

of State, in Grant Book PPP, page 278, a grant from the State to Jacob Weed, dated January 14th, 1788, covering the following described land:

“ ‘Seven hundred and twenty (720) acres in Camden County, Georgia, bounded Eastwardly by vacant salt marshes and creeks, Southwest by salt marshes, Pagin’s Creek and Saint Mary’s River, West by Bugg’s land, and North by Finley’s land.’

“On page 53, Flat Book D, appears a plat which shows the property granted and its boundaries; a pencil sketch copy of which plat is submitted herewith. It is to be observed that the marsh lands are designated on the plat as ‘vacant salt marsh,’ excepting that parcel lying at the junction of Point Peter Creek with Saint Mary’s River, which is designated simply ‘salt marsh.’ If this last mentioned salt marsh be included within the grant, it has been found by careful calculation that the property granted within the boundaries defined represents approximately seven hundred and twenty-five (725) acres in area, and includes a frontage of about thirty-three hundred and fifty (3350) feet on Saint Mary’s River, beginning at a stake at the point of intersection of Point Peter Creek and extending thence Southerly and Westerly to the boundary line of the vacant salt marsh shown on the plat of the grant to Jacob Weed.

“The property granted Weed passed through successive purchasers until it was acquired by the United States Government for a military reservation by deed dated January 10th. 1818, from Samuel Breck, surviving executor of the estate of John Ross. In this deed the land conveyed to the Government is described as follows:

“ ‘All that plantation or tract of land called and known by the name of Point Peter, situate, lying and being at the mouth of St. Mary’s River, in the County of Camden in the State of Georgia, containing seven hundred and twenty (720) acres, be the same more or less, originally granted by the State of Georgia to Jacob Weed, and is particularly described and delineated in a plat thereof, annexed to the original deed of conveyance from Benjamin Wall, late Marshal of the District of Georgia, to Samuel Howard, viz.: Bounded Easterly by Point Peter Creek, southerly by St. Mary’s River, and Westerly by Pugin’s Creek and lands formerly Andrew Douglass’ ”

“The boundary set forth in this deed would embrace a tract of over twelve hundred (1200) acres in area, and a frontage of more than a mile and a quarter on Saint Mary’s River, which is a much larger area than that granted to Jacob Weed, or that could be claimed by any subsequent purchaser holding under him. The Federal Government cannot claim so great an area, since the deed under which it hold refers to the tract acquired as containing seven hundred and twenty (720) acres, be the same more or less, ‘originally granted by the State of Georgia to Jacob Weed.’

“In a report to the War Department made June 20th, 1913, by W. C. Leman, Principal Assistant Engineer, (set forth at page 7 of a communication from the Secretary of War to Congress under date of January 11th, 1916) it is stated that the Point Peter reservation has a frontage of about three thousand (3,000) feet on the Saint Mary’s River. This accords with the result of our investigation, which shows

this river frontage to be about thirty-three hundred and fifty (3,350) feet.

“I construe the grant to Weed as including the tract designated on the original plat as ‘salt marsh’ and having a frontage on Saint Mary’s River of about thirty-three hundred and fifty (3,350) feet; but as excluding those several tracts marked as ‘vacant salt marsh.’ This construction harmonizes with the description contained in the original grant to Weed, and with the claim of the Federal Government. As thus defined the military reservation embraces about seven hundred and twenty-five acres of land, including the river frontage mentioned. This would leave ungranted by the State, so far as I can find, the vacant salt marsh to the South and West, containing about three hundred and eighty (380) acres, and two vacant salt marshes lying on the West of Point Peter Creek, containing, respectively, ninety (90) acres and seven and sixty-eight one-hundredths (7.68) acres. A pencil sketch, delineating these several tracts, is submitted herewith.

“It thus appears that title remains in the State to three hundred and eighty (380) acres, having an extended frontage on Saint Mary’s River. An examination, however, of maps and charts of the Government discloses that the River adjacent to the frontage is very shallow, the channel opposite being near the center of the River.

“We have been unable as yet to locate the grants and trace the title to the property lying East of Point Peter’s Creek. It would be necessary to examine all of the original grants seriatim, and by a comparison of descriptions eliminate the ungranted lands. As some of these grants cannot be found, and others have

been cancelled, and the descriptions generally are vague and indefinite, it would be difficult, if not impossible, to arrive at any certain result from the record.

“This research hardly seems justified in view of the fact that this land has no river frontage, and that on Cumberland Sound appears to be incapable for use for deep water terminals. The surrounding water for quite a distance from the shore is very shallow, having a depth of from less than one (1) foot to maximum of five and four-tenths (5.4) feet, as shown by the Government Charts.

“I submit herewith maps and charts of the Government, showing the depth of the channel of the Saint Mary’s River, and the surrounding waters.”

The Commission also submits the following report as to the depth of the present channel and the possibilities of deepening, submitted by its Engineer, to-wit:

“I have carefully read the two documents, one being No. 697 of the Second Session, 62nd Congress, and the other No. 540 of the First Session, 64th Congress, submitted by the respective Chiefs of Engineers, General Bixby and General Kingman, on the St. Mary’s River improvement.

“It does not seem to me that the cost necessary to obtain the depth of twenty-two (22) feet is prohibitive, nor does the maintenance cost of \$12,000.00 per annum seem to be excessive, provided the business of the port justifies it. Should it be decided to build the Western & Atlantic to St. Mary’s, the matter of dredging to proper depth can be determined and the work

done against the completion of the line. Furthermore, as indicated on page 12 of Document No. 540, Col. Langfitt says that this maintenance charge will be for the first few years only, so that they evidently believe that conditions will take place in the river that will eliminate the probability of this shoaling. However, I cannot reconcile this statement with the report of Assistant Engineer W. C. Leman, as shown on page No. 7, paragraph 9, of Document No. 540, in which he states as follows:

“‘This river, flowing as it does through a comparatively flat water-shed, with a moderate run-off, maintains a fairly even annual state with a few caving bends, and a very small percentage of silt is carried by the water of the same, with a consequent small proportion of bar-making action.’

“‘I am not positive about the method by which sand bars are formed, so that my criticism will not stand a test before experts.

“‘It seems clear that a depth of seventeen (17) feet of water is the present channel, which can possibly be increased to twenty-two (22) feet at a not prohibitive cost, but the deeper harbors of Savannah, Brunswick and Jacksonville would seem to put St. Mary’s port at a disadvantage that even its proximity to the ocean would not be able to overcome.

“‘Will not the absence of banking facilities, stores, amusements, established trade channels, etc., taken in connection with the shallow channel, operate against St. Mary’s as a port of call for tramp steamers?

“‘Would the fact of the Government Reservation at Point Peter be a disadvantage to the development of the State’s property for large terminals?’”

3-5-6. In its effort to fully comply with the requirements of Paragraphs 3, 5 and 6 of Section 16 of the Lease Act, the Commission published in several newspapers of the State, the following invitation for proposals for extension to the sea, and requested information along the lines prescribed in said paragraph:

“NOTICE.

*Office of the Western & Atlantic
Railroad Commission.*

*Proposals for Extension of the Western
& Atlantic Railroad.*

“Pursuant to the provisions of Section 16 of the Acts of the General Assembly of Georgia, approved November 30th, 1915, entitled ‘An Act to provide for the leasing or other disposition of the Western & Atlantic Railroad and its properties, etc., the Western & Atlantic Railroad Commission is prepared to receive and invites, in writing, under seal, addressed to the Commission at its offices in the State Capitol, Atlanta, Georgia, information from any reliable source as to any survey or surveys which have been made from any point on the coast of Georgia toward Atlanta, for the construction of a standard gauge railroad, together with maps showing the mileage surveyed as well as constructed, the counties traversed or to be traversed, estimates as to cost and character of construction, equipment, etc., as set out in paragraph 6 of said Section 16 of said Act.

“The said Commission is also prepared to receive, under seal in writing, from any person, association or corporation, propositions to con-

struct or submit plans for the construction and equipment of an extension of the Western & Atlantic Railroad to the sea, as set out in paragraph 6 of said Section 16 of said Act.

“Printed copies of the Lease Act will be mailed to parties applying for the same.”

Quite a deal of correspondence with different parties resulted, and numerous suggestions were submitted to the Commission in response to this public invitation, but no clearly defined plan or offer of carefully collected or available information was submitted.

As none of the necessary preliminary information desired and requested was received, the Commission did not consider further effort to comply with Paragraph 6 as necessary or profitable.

4. The Commission had its Engineer make studies of the relative merits of an extension to each of the ports of Savannah, Brunswick and Saint Mary's, with the estimated approximate cost and probable earning powers of each route.

The result of this study is shown in his report to the Commission as follows, to-wit:

“Pursuant to instructions as outlined by you in recent conversation, I herewith submit a report on the relative costs of an extension of the Western & Atlantic Railroad to each of the three ports on the Georgia coast, namely, St. Mary's, Brunswick and Savannah.

“In constructing a railroad for through business it should be borne in mind that certain units are practically the same regardless of the grading. For example, your terminals, track, superstructure, including ballast, way lands,

water stations, station and roadway buildings, shops, etc., will be the same whether you are operating grades of sixteen feet per mile (3-10 1 per cent), or over grades of fifty-three feet per mile (1 per cent). Therefore, every effort should be exerted towards making the line as short as possible with the lowest gradients and least rise and fall, for in those three features are the principal operating costs. The graduation on the proposed line, even where it has been figured for a low gradient, is 40 per cent of the whole expense. While it might be reduced 20 per cent by the use of heavier gradients, the fixed charge would thereby be reduced only about 8 per cent, but the operating ratio would be largely increased, and that for all time until the business justified a revision of the line at a large cost. The Virginian Railway built a very expensive line on gradients of 2-10 of 1 per cent or 11 feet per mile against the heavy tonnage, with very satisfactory results, the operating ratio for five years, 1911 to 1915, averaged 60 per cent, and in 1914 it was 55 per cent, showing conclusively that the policy of projectors of the line was justified. The average operating ratio for Southern lines is well over 70 per cent, the Southern Railway for 1915 being 74.3 per cent.

“*First. Saint Mary’s.* I have adopted the line as proposed by Mayor Sweat of Waycross, and Captain Johnson of Saint Mary’s, to-wit: The Atlanta & Florida Division of the Southern Railway from Atlanta to Fort Valley, one hundred and five (105) miles, the survey of the Atlantic, Waycross & Northern from Fort Valley via Waycross to Kingsland and thence the operated portion of the Atlantic, Waycross & Northern to Saint Mary’s.

“This plan contemplates the purchase of the Atlanta & Florida Division of the Southern Railway from Roseland (the junction point with the Southern main line in Atlanta) to Fort Valley, 102 miles. I made an inspection of this line from the rear end of a train and from my notes estimate that the production cost of the line is very nearly \$2,000,000.00, and I think the road could be acquired for that sum. Taken as a whole the location is fairly good, but the maximum curves are five (5) degrees and the gradient 1.25 per cent or 66 feet per mile, the longest grade on the maximum being about two (2) miles. The line was laid with 56-lb. rail when built in 1887-88, and excepting about three miles next to Atlanta that has been re-laid with second-hand 80-lb. rail, this original rail is still in service, and its general condition is fairly good. As part of a through line I estimate that \$1,250,000.00 would have to be spent revising the grades, and the line in certain portions where the alignment is not good, and in relaying with 85-lb. rail, and ballasting. The Atlanta & Florida has practically no terminals in Fort Valley and of course in Atlanta uses the Southern Railway terminals. It therefore would be necessary to construct a connecting track from some point on the Atlanta & Florida about Haasville to, say, Howells, a distance of nine miles. On account of expensive right-of-way, and the overhead crossing of streets, etc., this line would cost about \$1,000,000.00, but it could be located so as to reach the manufacturing sections near Hapeville, East Point and similar localities and thereby produce tonnage for the line. The break-up yards would also be located on this connecting track at some point convenient to the Western & Atlantic.

“As a tonnage producer of itself, the Atlanta & Florida would not pay its operating charges. There is only one important source of revenue, several sand pits about 95 miles from Atlanta, and there is not a town of considerable size on the line. The local freight business does not even at this time necessitate a daily service each way. If at the end of thirty years’ operations an established line cannot produce any more revenue than the Atlanta & Florida, I doubt if that portion of the line between Fort Valley and St. Mary’s would do much better inside of ten years at least, so that the through business is all that could really be counted on.

“In a report submitted to the Railroad Commission by the promoters of the Atlantic, Waycross & Northern in 1911, it is stated that the cost of the proposed extension, exclusive of rolling stock, would be \$3,522,000.00. This estimate figures on using 85-lb. rail at \$33.00 per ton. It would now cost between \$40.00 and \$43.00, and all other material would cost proportionately more. Furthermore, by their own statement, the line was surveyed on gradients of one per cent between Saint Mary’s and Wavcross, and one and one-half per cent between Waycross and Fort Valley. The estimate for grading should be increased very materially. Various other items in the estimate are too low, taking into account the fact that the line is to be built on grades of 3-10 South and 5-10 North, and in all other particulars to be a first-class road. I have made an estimate on what I can assume to be the character of the country by studying the map, but of course it is an approximation. The total cost of the line from Atlanta to Saint Mary’s would be \$12,250,000.00. Three and one-half per cent interest on this is \$429,750.00.

“*Second. Brunswick.* In conversation with Mr. Henry W. Miller, Vice-President of the Southern Railway, and with others connected with the Southern Railway, I have been informed that the Southern Railway would sell the line from Macon to Brunswick for a consideration not named. I believe, however, that a conservative estimate of the value of that property would be about \$40,000.00 a mile, or for the 185 miles, including terminals at Brunswick, \$8,000,000.00. At 3 1-2 per cent the fixed charge would be \$280,000.00.

“Mr. Miller further stated that he would use the money obtained from the sale of the Macon & Brunswick Division to revise the grades and double-track the Atlanta-Macon Division of the Southern Railway. I know that you doubt the feasibility of such a plan, but assuming that it could be worked out, I estimate the value of that double track, 88 miles exclusive of terminals, at \$75,000.00 a mile, or \$6,600,000.00. The usual form of contract for joint operations of this kind is on a basis of 5 per cent on half the cost and a division of the maintenance and operation on wheelage proportion. This would be a fixed charge of \$165,000.00, which, added to the \$280,000.00 above, would be a total of \$445,000.00.

“In taking over an established line, as the Macon & Brunswick Division, the elements of value such as going concern, good will, etc., are worthy of careful consideration. While the State's road could not handle any business to or from local points between Atlanta and Macon, both of those important revenue producers would be considered as large factors in the extension. Between Macon and Brunswick are the following junction towns: Cochran, Empire,

Eastman, Helena (McRae), Hazlehurst, Baxley, Jesup and Everett City, with a total population of about ten thousand; besides twenty smaller towns, with a combined population of 3,274 (1910 census). However, when the fact that this road has been in operation since about 1870 is taken into account, the development seems slow and too much value should not be placed on the 'going concern' element.

"It is my information, together with my judgment, that the gradients between Atlanta and Brunswick are not to exceed one per cent. (53 feet per mile), and a train load of 2,000 tons with an ordinary consolidated engine can be handled. The line between Macon and Brunswick crosses numerous streams and the maintenance cost is probably high.

"At Brunswick the Southern Railway, in addition to Turtle River Docks, recently constructed at a cost of about \$150,000.00, has two other water terminals.

"The line from Atlanta to Saint Mary's being fifty miles longer than the line to Brunswick gives the latter route a heavy advantage in the saving in train miles, and Brunswick being an established port with banking facilities will have that further advantage over Saint Mary's.

"The estimated cost of the Atlanta-Brunswick line, inclusive of the connecting track at Atlanta and Macon, is \$13,000,000.00. Three and one-half per cent. interest on this is \$455,000.00.

"*Third. Savannah.* From a study of the map, together with the fact that I have recently built a railroad through some of the territory, I have worked out a line to Savannah that in my judgment would be as near as can be an

ideal line to the coast. It can, I think, be built on the shortest practicable route between Atlanta and Savannah, 242 miles. The first fifty miles of it will be costly, but for the rest of the way it would follow a dividing ridge. It would be my recommendation, that if the State determines to build this line it should get the lowest grade and shortest distance possible between Atlanta and Savannah, ignoring all intermediate towns that do not lie directly on the route. As the operating cost increases in proportion to the mileage and the freight rates would remain the same whether the commodity moves through Saint Mary's, Brunswick or Savannah, it follows that, with equal gradients, the shortest line to the coast would be the best. If the Savannah line be adopted it would have the advantage of 33 miles over the Brunswick line and 81 miles over the Saint Mary's line. Furthermore, by having the total distance between termini not exceeding 250 miles, it would be possible to have only two engine divisions, whereas the Brunswick line and the Saint Mary's line would each require three, and the Central of Georgia is now operating with three engine divisions. The State's line to Savannah having only one change of engines could make the run in less time, and with the saving of all expenses incident to a break-up point. The estimated cost of the Atlanta-Savannah line is \$11,766,000.00, being \$44,407.00 per mile, plus the cost of terminals. Three and one-half per cent. interest on this is \$411,810.00.

“The assessed valuation of all property, except railroads, telegraphs and similar corporations, in the counties through which it would run, was in 1915 \$97,586,646.00, whereas on the Brunswick line, exclusive of the portion between

Atlanta and Macon, \$62,835,261.00 and on the Saint Mary's line \$56,016,679.00, all of these figures being exclusive of Fulton County. The ratio of increase between 1910 and 1915 is respectively 19 per cent., 30 per cent. and 14 per cent., the ratio of the whole State of Georgia in that period being 24.5 per cent., showing that the Savannah line operated through a better territory and would therefore produce more local business.

"Savannah being already a port of call for tramp steamers, and with regular established trade channels, extensive banking facilities, stores, amusements, etc., together with the heavy business already moving through that point, has from every viewpoint the advantage over either Brunswick or Saint Mary's, and if an extension to the sea is to be built the line from Atlanta to Savannah should be adopted.

"To recapitulate the advantages of this line over either of the others

"It is the shortest by many miles of any route to the coast.

"It would have the most favorable grades, and thereby, in connection with the shortest distance, afford the lowest operating costs.

"It would run through a more highly developed and productive territory, and connect the two largest cities in the State.

"It would have the lowest fixed charge because of being the cheapest line.

"In 1909 the House of Representatives of the General Assembly appointed a committee, of which Mr. Hooper Alexander was chairman and Mr. Geo. Dole Wadlev, secretary, to report on the cost of an extension of the Western & Atlantic Railroad to the sea coast. This committee reported that the cost would be at the

rate of \$42,650.00 a mile, plus cost of terminals, docks, wharves, etc., and equipment. Using 242 miles as a unit and assuming my figures of \$1,000,000.00 for terminals the cost of their line to Savannah would be \$11,321,300.00.

“I estimate that the cost of a preliminary survey would be about \$25,000.00 and require about six months’ time for two complete parties. This would not give a final location, but would give a ‘close preliminary’ on which the cost of line could be accurately figured.”

7 The Commission received one formal proposition in writing, in strict compliance with its invitation for proposals, to sell to the State an existing road to a Georgia seaport.

As the property offered is a going concern, its owners did not think it advisable to give publicity to their willingness to sell, and therefore were unwilling to submit any proposition, unless the Commission would agree, in the event of an unfavorable consideration of the same by it, to hold the proposition in confidence. This request seemed entirely reasonable and the Commission received the proposal on this condition. After careful consideration of the proposal, the Commission reached the unanimous conclusion that its acceptance was inadvisable, and so notified the parties submitting the same.

The proposition submitted is in the Commission’s files, but for the reasons above given respectfully submits to the General Assembly the propriety of not including it as a part of this report.

The Commission also received an informal statement from the duly authorized representative of another existing line to a Georgia port, that its offi-

ciala would sell to the State upon reasonable terms, should the State at any time be in position to entertain and act upon a definite proposal. This line, however, was unwilling to give publicity to its expressed desire to sell or to submit any formal proposal to the Commission, under the somewhat uncertain terms of the Lease Act with reference to a bond issue by the State, and the uncertainty of the passage of a Constitutional Amendment authorizing the issuance of bonds. The fact that the General Assembly of 1915-16 defeated a bill to submit to the people of the State the question of Constitutional Amendment authorizing bonds for extension practically destroyed all possible expectation or hope that the Commission could secure any binding, definite proposal for extension, either by construction or purchase.

The Commission undertook a discussion of the extension to the sea, with the Nashville, Chattanooga & St. Louis Railway, particularly with the view of ascertaining if that road would consider favorably the lease of the road, if so extended.

Its directing officials stated to the Commission that the Nashville, Chattanooga & St. Louis Railway, under no then known circumstances, desired or would bid for a lease of an extension.

ENCROACHMENTS.

In its report to the General Assembly in 1916, the Commission made special mention of the more important occupancies and uses of portions of the property of the State, whether under claim of right or by permission of the Lessee, and the State.

Reference is made to this report.

It is perhaps necessary, at this time, to report further on a few of them:

1. *Union Passenger Station, at Atlanta.* The Georgia Railroad claims an interest in, or the right to use this station, having contributed to its erection.

The Commission, under advice of counsel, is of the opinion that the Georgia Railroad has no property interest in the station or in the ground upon which it is located. It has notified the Georgia Railroad that the State claims title to the entire property.

However, since the new lease is to the Nashville, Chattanooga & St. Louis Railway, and in view of the relations between the Lessee and the Georgia Railroad, the Commission does not deem it necessary or politic to initiate any proceedings at this time to disturb the present uses of the Union Station.

2. *National Cemetery encroachment, near Chattanooga.* The Commission is pleased to report that this encroachment, after negotiations with the Federal authorities, has been removed and disposed of, the Federal authorities having abandoned all claim of interest or title to the strip of the right of way as described in the Commission's 1916 report, and since removed the markers for many years maintained on the right of way as indicating the Cemetery boundary.

3. *Depot grounds at Chattanooga.* Special reference is made to the report of the Commission to

the General Assembly in 1916, in which a full history of this situation was given. It will be noted therefrom that approximately eight and three-fourths acres of the terminal properties of the Western & Atlantic Railroad, located in Chattanooga, were sold to the Nashville, Chattanooga & St. Louis Railway in 1860 by Governor Jos. E. Brown. This tract included one-half of the ground upon which the Union Passenger station was and is located. After an examination into this sale, Hon. W. A. Little, Special Attorney for the Western & Atlantic Railroad, in 1893, reported that the consideration due the State in money and in a parcel of land had been received. Our information is that the money consideration was paid into the Western & Atlantic treasury, and not directly into the State Treasury, the road at the time being operated by the State. The authority and power of the Governor to make this sale has been long questioned. In its 1916 report the Commission said:

“If the State intends to assert its claim to this property, legal proceedings to that end should be instituted. If, on the other hand, such purpose is not entertained, the action of Governor Brown should be ratified and confirmed, and the title of the Nashville, Chattanooga & St. Louis Railway should be set at rest.”

Under the Act of the General Assembly approved August 4th, 1916, amending the Lease Act of 1915, this Commission, “subject to direction in specific cases by the General Assembly,” was invested with full power and authority, in its discretion, to deal

with and dispose of all encroachments upon and uses and occupancies of any part of the right of way and properties of the road, by any person other than the present Lessee and its tenants, etc.

The Commission is of the opinion that this is a case in which the General Assembly should give specific directions.

After mature consideration of all the facts bearing upon the situation and the circumstances now surrounding as well as the long time which has elapsed since the situation was created, in connection with the thought that the facts have been long known and often reported to the General Assemblies and that the State has never taken action in the premises, the Commission recommends that the General Assembly formally confirm the action of Governor Brown in 1860.

4. *Cincinnati Southern Railway occupancy of the right of way from Boyce to Chattanooga:* As to this use of the right of way of the Western & Atlantic Railroad, reference is also made to the report of the Commission to the General Assembly in 1916, for the facts.

This use by the Cincinnati Southern was under legislative grant in 1879.

In 1916 the General Assembly repealed the Act constituting the grant.

Under the authorization of the Commission, with the assent of the Governor, Counsel to the Commission has filed in the Supreme Court of the United States, in the name of the State, a bill for injunction restraining the Cincinnati Southern and its

Lessee, the Cincinnati, New Orleans & Texas Pacific Railway Company. from the further use of the State's right of way.

This bill was filed with the consent of the Supreme Court and an order was issued directing the defendants to make answer thereto by October, 1917.

As stated in the Commission's report for 1916, there are several hundred minor encroachments and adverse uses of the State's property. It is the duty and purpose of the Commission to attempt the removal or settlement of all of these, as early as possible, full power and authority to do so having already been conferred by the General Assembly upon the Commission.

There are other encroachments and adverse uses of considerable importance, specifically mentioned in the Commission's 1916 report, which will have attention in the near future.

The Commission regrets to state that Hon. Wm. A. Wimbish, Counsel, has suffered a long and serious illness.

It is pleased to learn that he is now convalescent. His illness has prevented his submitting a report of the work under his direction, for incorporation in this report.

It is his purpose to prepare and submit to the Commission, at the earliest date his recovery from his illness will permit, a full report dealing with the numerous matters, encroachments, etc., under his special charge as counsel, which report this Com-

mission asks permission to later transmit to the General Assembly.

Respectfully submitted,
C. M. Candler,
Chairman.

N. E. Harris,
G. Gunby Jordan,
E. A. Copelan,
St. Elmo Massengale,
Commissioners.

EXHIBIT "A"

STATEMENT OF EXPENDITURES FROM
FUNDS APPROPRIATED BY THE
GENERAL ASSEMBLY
TO DEFRAY THE EXPENSES OF THE WORK
ASSIGNED TO THE
WESTERN & ATLANTIC RAILROAD COM-
MISSION.

STATEMENT OF EXPENDITURES TO
JUNE 30th, 1917

Salaries of Commissioners:

G. Gunby Jordan	.\$1,873.33		
E. A. Copelan.	1,853.33		
J. L. Hand	900.00		
St. Elmo Massengale.	761.29	\$	5,387.95

Expenses of Commissioners

Attending Sessions:

G. Gunby Jordan	.\$ 223.78		
E. A. Copelan	269.94		
J. L. Hand.	125.98	\$	619.70

Salary of J. H. Johnston, Engineer	.\$ 4,800.00
Traveling and other expenses on duties.	505.67
Salary, Campbell Wallace, Secretary	600.00
Salary, J. G. Cohen, Stenographer..	588.33
Salary, J. G. Cohen, Sec.-Stenographer	1,825.00
Expenses on inventory and inspection of road and properties	80.68
Salary, J. A. McLeod, Assistant to En- gineer	1,184.31
W. A. Wimbish, Attorney	4,999.94
W. A. Wimbish, expenses to Washington	68.83
E. Adamson, Law Clerk & Investigator	1,768.91
E. Adamson, traveling expenses.	15.87
W. J. Meyers, Statistician, fee	700.00
W. J. Meyers, Statistician, expenses	113.93
Expenses of Chairman to Washington and Nashville on Commission busi- ness	75.15
Reproductions, maps, profiles, blue prints, etc.	166.81
Sundry office and Engineering supplies	359.87
Sundry office expenses	153.38
Advertising and printing	169.90

Photo reproductions and photos of de-	
pots, bridges, trestles, etc.	111.95
Office furniture and fixtures	99.53
Deposit Court Costs, Supreme Court in	
Cincinnati Southern suit	50.00
Telegrams, telephone tolls and postage.	15.47
Commission expenses on inspections.	134.07
	<hr/>
Total expenditures	.\$ 24,595.25
Petty cash on hand	90.44
	<hr/>
Drawn from treasury on executive	
warrants	.\$ 24,595.25
Balance of appropriation undrawn.	314.31
	<hr/>
Orginal appropriation	.\$ 25,000.00
Unexpended balance as shown above:	
Undrawn from Treasury	.\$314.31
Petty cash on hand	. 90.14
	<hr/>
	\$404.75

EXHIBIT "B"

COPY OF REPORTS PREPARED

BY

W J. MEYERS, STATISTICIAN

REGARDING THE TRAFFIC AND FINANCIAL
OPERATIONS ON

WESTERN & ATLANTIC RAILROAD
DURING THE TERM OF THE PRESENT
LEASE.

REPORT ON STATISTICAL STUDY OF OPERATIONS OF NASHVILLE, CHATTANOOGA & ST. LOUIS RAILWAY ON THE WESTERN & ATLANTIC RAILROAD DURING RECENT YEARS.

The purpose of this study is to aid the Western & Atlantic Railroad Commission in determining what disposition to make of the Western & Atlantic Railroad upon the expiration of the present contract of lease of that road to the Nashville, Chattanooga & St. Louis Railway, and particularly to determine whether the road shall be further leased and if so, to what Lessee and upon what terms.

The first matter to be determined is the earning capacity of the property after the termination of the present contract, December 27th, 1919, and perhaps the best evidence of what may be expected in the immediate future is what has occurred in the immediate past. The Lessee has reported to the Railroad Commission of Georgia regarding its operations on the Western & Atlantic Railroad year by year during the period July 1st, 1910, to June 30th, 1915, and on its books it has division figures of revenues and expenses for years prior to that period, the Western & Atlantic Railroad being designated on its books as the Atlanta Division.

Owing to the fact that the occurrences of the remote past have less significance for judging the present trend, and that the Interstate Commerce

Commission's Uniform System of Accounts did not become effective until July 1st, 1907, I have not considered it worth while to make a detailed study of any figures relating to periods prior to that date.

The determination of revenues assignable to operations on the Western & Atlantic Railroad is simple in the case of traffic confined to that road, and expenses for work performed solely on that road are allocated by that fact, but in the case of traffic moved over that and other divisions and in the case of expenses common to that and other divisions, apportionments are necessary. The rules followed by the Lessee in making such apportionments of joint divisional revenues and expenses are stated in a letter sent by the Assistant Comptroller of the Lessee to Mr. Campbell Wallace, Secretary of the Railroad Commission of Georgia, under date of March 9th, 1916. The rules stated in that letter seem to be fair, and the comparisons later discussed in this report lead me to believe that the rules have been conscientiously applied in the accounting work of the Lessee. I have been shown the book of interdivisional percentages used in apportioning between the operating divisions the revenues earned on traffic moved between a point on one division and a point on another, and the percentages seem to be based on the length of the haul of the particular traffic over the several divisions, except in the case of movements to or from competitive points when the route over the Nashville, Chattanooga & St. Louis line proper (exclusive of the Western & Atlantic Railroad) is longer than that over a competitive route, or where because of competitive conditions existing

prior to the inception of the present lease the Western & Atlantic Railroad had been able to exact larger percentages than would result from a mileage prorate, in which case the Western & Atlantic has continued to receive the proportions in effect under the earlier arrangement. To illustrate, suppose a shipment moving from Memphis, Tennessee, to Dalton, Georgia, over the lines of the Lessee. The distance from Memphis to Chattanooga over the line of the Lessee is approximately 389 miles. The distance from Chattanooga to Dalton via the Western & Atlantic is approximately 38 miles. A strict application of the mileage prorate on the supposed shipment would give the Western & Atlantic only $38/427$ (or 9 per cent.) of the total revenue earned upon this shipment and to the Lessee's line west of Chattanooga the remainder or $389/427$. Actually, however, the proportion allowed to the Western & Atlantic is 31 per cent., and the Lessee for the haul between Memphis and Chattanooga is allotted only 69 per cent. The discrepancy in favor of the Western & Atlantic becomes still more marked for points on the Western & Atlantic less distant from Chattanooga and less marked for those more distant. The interdivisional percentage book before mentioned actually gives to the Western & Atlantic division on traffic moving from Memphis to Graysville (about 17 miles east of Chattanooga) 22 per cent. of the through rate; to Kingston (about 78 miles east of Chattanooga) 37 per cent. of the through rate; and to Marietta (about 117 miles east of Chattanooga) 42 per cent. of the through rate. The strict mileage proportions would be only about

4 per cent., 17 per cent. and 23 per cent., respectively. For further illustrations see Statement No. 1, in the appendix to this report.

On traffic moving to or from points beyond the lines of the Lessee, the established interline divisions of the through rate determined by agreement among the participating carriers (or by the appropriate public authority in case of absence of agreement) are first applied and the Lessee's proportion is then divided among the Western & Atlantic and other divisions involved in accordance with the principle above stated.

On traffic to or from other than Mississippi and Ohio River points or beyond, where the Lessee has the short route, and on traffic to or from points strictly local, the strict mileage prorate is much more nearly adhered to, even though the strictly local points may be near a junction point, as, for example, in the case of Mullins, about 12 miles east of Memphis:—on traffic between Mullins and Graysville, the Western & Atlantic having 17/393 of the haul is allotted 5 per cent. of the through rate, while on that between Graysville and Memphis, the Western & Atlantic is allotted 22 per cent.

While it may possibly be urged with some plausibility that on account of expensive terminal service the Western & Atlantic should in the case of short hauls receive more than mileage prorate, I doubt whether in view of the competitive conditions affecting the major part of its traffic, it could procure more favorable divisions if it were independently operated than it now receives in the divisional ac-

counting of the Lessee. The competitive conditions alluded to are discussed in a later part of this report.

In addition to the rules for apportioning common operating expenses as stated in the letter of the Lessee's Assistant Comptroller before referred to, it should be mentioned that on company fuel from the mines to Chattanooga and there delivered to the Western & Atlantic for use in the operations of that line, a freight charge of fifty cents per ton is included in the operating expenses assigned to the Western & Atlantic. I am informed that this is the only class of supplies furnished the Western & Atlantic on which a charge is made for transportation service furnished by other divisions of the Lessee. The charge does not seem to me to be unwarranted, and the rate charged is not excessive, in as much as the distance from the mines to Chattanooga is from 38½ to 91 miles, and the commercial rates for these movements are from 60 cents a ton upwards. No charge is made against the operating expenses of the Western & Atlantic for transportation furnished by any other division of the Lessee on rails, ties, or any other material than coal, hauled for the benefit of the Western & Atlantic; nor does the Western & Atlantic receive any credit for the transportation service rendered by it on company material for the benefit of other divisions of the Lessee.

The foregoing considerations lead me to believe that for the purpose of this study it will be sufficient to take the revenues and expenses of the Western & Atlantic and of the entire line of the Lessee, as stated on the books of the Lessee and, making such modifications therein in respect to depreciation and

retirements of equipment in the operating expenses assigned to the Western & Atlantic as are below suggested, rely on the results as reflecting fairly the net earning capacity of the Western & Atlantic so far as such capacity can be shown by the accounts of the carrier. I do not think that a detailed audit and restatement of the accounts would result in any benefit at all commensurate with the cost. The books of account, so far as I am able to judge, are for the period subsequent to June 30th, 1907, fairly kept, and I consider them reliable for any such purpose as the present study. I have made no examination of the books relating to the period prior to that date.

The Western & Atlantic Railroad owns very little equipment, and that little is not confined solely to that road. Most of the equipment used on that road is furnished by the Lessee, and much of it is used interchangeably on that and other divisions of the Lessee's line as may be necessary for efficient and economical operation. The Lessee in stating its operating expense accounts for its whole line or system includes, in accordance with the provisions of the Interstate Commerce Commission's Uniform System of Accounts, charges for depreciation and retirement of equipment, but since June 30th, 1909, it has not included such charges in the operating expenses assigned to the Western & Atlantic. Instead of these charges, it has made against the Western & Atlantic charges in the nature of hire of equipment charges, based on arbitrary rates per car mile and per locomotive mile for various classes of equipment. These charges are made against the income

account and are in addition to the charges for equipment repairs in the operating expense statement. They thus combine the depreciation element which is properly included in the operating expense statement and the interest element or return on value which is properly included in the income statement.

The Lessee's entire system, including the Western & Atlantic, is operated as a single entity, and in order to obtain an estimate of the earning capacity of the Western & Atlantic property, which consists mostly of road and to only a very slight extent of equipment, I have thought it advisable to attempt an estimate of proper allowances for depreciation and premature retirement of equipment properly includible in operating expenses assignable to the Western & Atlantic. In the two years, July 1st, 1907, to June 30th, 1909, the Lessee included charges for these two accounts in the operating expenses assigned to the Western & Atlantic, but not for later years. In Statement No. 2, in the appendix to this report, I have brought together the yearly totals for the appropriate equipment repair accounts for the entire system and those for the Western & Atlantic, and also the charges for equipment depreciation and retirement for the entire line, and for the six years, July 1st, 1909, to June 30th, 1915, I have computed my estimate of these two items for the Western & Atlantic on the assumption that they may properly bear the same proportionate relation to those for the entire line as the equipment repair charges allotted to the Western & Atlantic bear to those of the entire line. I believe this is a fair assumption. This

assumption yields the following figures for my estimate of the amounts properly includible in the operating expenses of the Western & Atlantic during the six year period, July 1st, 1909, to June 30th, 1915:

	Depreciation.	Retirements.
Steam locomotives.	.\$127,823.00	\$27,709.00
Passenger-train cars	68,843.00	5,731.00
Freight-train cars	491,305.00	32,773.00
Work equipment	12,338.00	2,316.00
	<hr/>	<hr/>
Total Dep. & Retirem'ts.		.\$768,738.00

This sum is approximately the amount by which the operating expenses assigned by the Lessee to its Atlanta (Western & Atlantic Railroad) Division for these six years should be increased in order to make proper allowance for depreciation and retirements of equipment assignable to its operations on that division.

An estimate made on the same principle for the five year period, July 1st, 1910, to June 30th, 1915, yields the following:

	Depreciation.	Retirements.
Steam locomotives	.\$103,493.00	\$21,656.00
Freight-train cars	406,250.00	28,973.00
Passenger-train cars	54,880.00	2,894.00
Work equipment	10,291.00	2,004.00
	<hr/>	<hr/>
Total Dep. & Retirem'ts.		.\$630,441.00

The Lessee, in making to the Railroad Commission of Georgia annual operating reports for operations on the Western & Atlantic Railroad, omits, as has before been said, to include in the operating expense statement charges for depreciation and re-

tirements of equipment, so that its net operating revenues are overstated in comparison with its system report. On the other hand, it deducts as hire of equipment amounts based on miles made by various classes of equipment and arbitrary rates of 5 cents per locomotive mile, $1\frac{1}{2}$ cents and 3 cents per passenger-car mile, and $\frac{6}{10}$ cents per freight-train car mile. There are also in some instances small items of charges based on equipment days. These amounts are in addition to charges for repairs of equipment for which apparently fair amounts have already been included in operating expenses.

Because of the arbitrary amounts thus included in the Lessee's reports in lieu of depreciation, retirements and interest on the value of equipment used by it in its operations on the Western & Atlantic Railroad, I have thought it advisable to analyze the situation as though the equipment for the entire system were pooled, as, in fact, it substantially is. This assumption requires the determination of operating revenues, operating expenses, hire of equipment balance, and interest charges on investment in equipment.

The equipment pertaining to the Western & Atlantic Railroad at the beginning of the lease and included in the lease was valued by the representatives of the State of Georgia at the sum of \$361,041.00, and the Lessee, in its first report, made under date of March 30th, 1891, admits the value of such equipment to be \$260,000.00. In as much as the contract of lease requires the Lessee to maintain the equipment, it is safe to assume for the purpose of this

study that the investment figure for this equipment should be at least \$260,000.00.

The ledger value of the equipment of the Lessee, as shown by its annual report to the Interstate Commerce Commission, was, at various dates, as follows:

June 30th, 1915	. \$11,236,934.30
June 30th, 1914.	10,811,369.47
June 30th, 1913.	10,382,602.29
June 30th, 1912	9,864,496.03
June 30th, 1911	9,618,758.51
June 30th, 1910	8,613,558.45
June 30th, 1909.	8,466,909.63
June 30th, 1908.	7,811,213.11
June 30th, 1907	8,150,000.00

Assuming that the average value for any one year may be fairly represented by half the sum of the value at the beginning and at the end of the year, we have for the average ledger value of the N., C. & St. L. equipment during the five year period, June 30th, 1915—July 1st, 1910, the amount \$10,120,504.54, and during the eight year period June 30th, 1915—July 1st, 1907, the amount \$9,407,809.33.

The hire of equipment credit balances of the N., C. & St. L. system were reported to the Interstate Commerce Commission for the years ended June 30th, as follows:

1915, \$270,714.24; 1914, \$409,394.37; 1913, \$309,629.02; 1912, \$178,291.66; 1911, \$230,434.53; 1910, \$174,133.96; 1909, \$128,255.85; 1908, \$206,810.38.

The average of these for the five year period June 30th, 1915—1911, is \$279,692.76; and for the eight year period, June 30th, 1915—1907, it is \$238,458.00.

The standard form of income account now in ef-

fect under the rules of the Interstate Commerce Commission includes the revenues and expenses of so-called "outside operations" in railway operating revenues and expenses and in the figures given below they have been thus included, except that in respect of the years ended June 30th, 1910—1908, only the net debit balance of these has been included in the figures stated for the Western & Atlantic Railroad, the gross figures not having been distributed by the Lessee among its operating divisions. This involves a slight understatement (and by equal amounts) of the Western & Atlantic Railroad operating revenues and operating expenses for those three years, but the error thus introduced is so slight as to be inconsequential.

The Interstate Commerce Commission form of income statement also now provides for a separate statement of uncollectible operating revenues, but this form of statement for that item having become effective only recently (July 1st, 1914), the figures returned for that item have been charged to operating revenues as hereunder stated.

The figures hereunder stated for the operating expenses of the Western & Atlantic Railroad have been increased over those shown on the books of the Lessee by the amounts heretofore stated as my estimate of charges that should be made against Western & Atlantic operations in order to make them comparable with the figures for the entire system in respect to depreciation and retirements of equipment.

With the adjustments above stated, I find the fol-

lowing average annual figures representing operations on the N., C. & St. L. entire system and on the Western & Atlantic Railroad:

N. C. & St. L. System.		
Period to which annual average relates.	Operating Revenues	Operating Expenses
Five year period ended June 30th, 1915	.\$12,408,968.11	\$9,748,314.97
Eight year period ended June 30th, 1915.	11,969,801.63	9,234,701.37
Western & Atlantic.		
Five year period ended June 30th, 1915	.\$ 2,982,510.63	\$2,314,942.72
Eight year period ended June 30th, 1915	2,930,157.04	2,237,724.69

In making the following computation I have allowed 6 per cent per annum as the interest rate on the ledger value of equipment for return on investment over and above taxes, and in order to be on the liberal side with respect to the Lessee in regard to this item, I have taken its estimate, \$260,000.00, for the value of Western & Atlantic equipment. In making apportionment of net earnings and hire of equipment credits after allowance of interest on investment I have computed on two bases: 1st, gross earnings ratio, and 2nd, net earnings ratio. The latter seems to me the more rational. I have also computed on the basis of averages for an eight year period and for a five year period. The eight year period gives the larger value for the Western & Atlantic, but I incline toward the view that the five year period is more truly indicative of what the fu-

ture will yield, because of the change in the policy of governmental regulation of railway rates introduced by the amendments made to the Interstate Commerce Act in 1910.

	for five-year period ended June 30th, 1915.	for eight-year period ended June 30th, 1915.
	Computation on basis of comparison of net earnings	Computation on basis of comparison of net earnings
N. C. & St. L. system average annual net operating revenues	\$ 2,660,653.14	\$ 2,726,020.26
Average annual credit balance of hire of equipment accounts	279,692.76	238,458.00
Sum	\$ 2,940,345.90	\$ 2,964,478.26
Interest on Western & Atlantic equipment value at 6% per annum	15,600.00	15,600.00
Interest on N. C. & St. L. system equipment investment at 6% per annum	607,230.27	564,468.56
Remainder after allowance for interest on equipment.	\$ 2,317,515.63	\$ 2,384,409.70
Ratio of apportionment to Western & Atlantic Railroad.	667,567.91	692,432.35
Ratio expressed as per cent.	\$ 2,660,653.14	\$ 2,726,020.26
W. & A. proportion of remainder after allowance of interest on equipment	25.0903%	25.4009%
Add for interest on W. & A. equipment	\$ 581,471.00	\$ 605,660.00
W. & A. Joint Facility rents, net credit	15,600.00	15,600.00
Miscellaneous non-operating physical property on Western & Atlantic	89,912.85	84,185.95
Miscellaneous incomes from W & A.	29,942.88	26,252.68
	15.85	9.44
Deduct for W. & A. R. R. taxes	\$ 716,942.58	\$ 731,708.07
W & A. miscellaneous rents	21,662.46	15,861.50
W & A. miscellaneous taxes	1,026.26	641.41
	8,443.92	5,277.45
Total deductions	\$ 31,132.64	\$ 21,780.36
Remainder	\$ 685,809.94	\$ 709,927.71
		\$ 687,963.71

In the income statements contained in the annual reports rendered to the Railroad Commission of Georgia by the Lessee in respect to its operations on the Western & Atlantic Railroad property show the following figures for gross income diminished by the arbitrary hire of equipment charges before mentioned and by all other operating rents and charges except the rental accruing to the State of Georgia under the lease:

Year ended June 30th, 1915	. \$311,299.41
Year ended June 30th, 1914.	609,688.02
Year ended June 30th, 1913.	. 731,469.33
Year ended June 30th, 1912.	639,870.70
Year ended June 30th, 1911.	754,974.52

Giving for the five years an average of \$609,456.40 per annum. These figures thus show for the five year period an average annual surplus of \$189,444.40 after payment of the annual rent of \$420,012.00, and after deducting the arbitrary equipment charges before mentioned as well as all taxes, maintenance and other operating expenses assigned to the property.

The traffic carried on the Western & Atlantic Railroad is largely competitive. For a series of years the Lessee has made periodic analyses of freight traffic carried over this road. The plan on which the figures have been compiled has been modified from time to time, but the Lessee's files contain comparable figures in considerable detail since June 30th, 1911, and in less detail prior to that date. I consider the later figures more significant for showing the present situation and the present trend.

For the later six months of the calendar year, the figures show the following percentages:

CHARACTER OF FREIGHT TRAFFIC

	Average for four yearly periods		June 30th 1915-14		June 30th 1914-13		June 30th 1913-12		June 30th 1912-11	
	Tons	Rev- enue	Tons	Rev- enue	Tons	Rev- enue	Tons	Rev- enue	Tons	Rev- enue
From connections to connections	49.60	48.28	50.31	48.33	49.29	48.51	48.93	48.16	50.06	48.12
From connections to junction points (proper)	26.20	27.33	28.04	27.00	27.59	28.25	26.61	27.39	22.77	26.62
From junction points (proper) to connections	6.66	8.83	6.23	9.34	5.68	8.16	7.01	8.47	7.62	9.48
From junction points (proper) to junction points (proper)	2.32	4.02	2.21	4.34	2.24	4.07	2.38	3.85	2.34	3.90
From connections to local points	2.66	2.67	2.50	2.53	2.69	2.73	2.53	2.55	2.90	2.84
From local points to connections	4.43	3.26	4.67	3.52	4.53	2.74	4.10	3.93	4.47	2.80
From junction points (proper) to local points	1.11	1.70	1.16	1.68	1.18	1.79	1.05	1.64	1.09	1.69
From local points to junction points (proper)	6.75	3.68	4.62	3.01	6.57	3.54	7.14	3.80	8.34	4.29
From local points to local points	.27	.23	.26	.25	.23	.21	.25	.21	.32	.26
SUMMARY										
From connections to connections and junction points (proper)	75.80	75.61	78.35	75.33	76.88	76.76	75.54	75.55	72.83	74.74
From junction points (proper) to connections and junction points (proper)	8.98	12.85	8.44	13.68	7.92	12.23	9.39	12.32	10.05	13.38
All other freight traffic	15.22	11.54	13.21	10.99	15.20	11.01	15.07	12.13	17.12	11.88

CHARACTER OF FREIGHT TRAFFIC

	Average for 5 half year periods		Latter half of 1915		Latter half of 1914		Latter half of 1913		Latter half of 1912		Latter half of 1911	
	Tons	Rev- enue	Tons	Rev- enue	Tons	Rev- enue	Tons	Rev- enue	Tons	Rev- enue	Tons	Rev- enue
From connections to connections	49.25	47.28	50.92	48.38	50.40	47.46	49.11	47.61	48.14	46.47	47.95	46.52
From connections to junction points (proper)	26.61	27.50	28.76	27.80	27.80	27.46	27.15	28.49	26.53	26.81	22.92	26.98
From junction points (proper) to connections	6.77	9.08	7.05	9.16	5.90	9.24	5.76	8.26	7.18	8.91	7.85	9.89
From junct. pts. (proper) to junct. pts. (proper)	2.35	4.13	2.26	4.37	2.13	4.28	2.32	3.98	2.39	3.98	2.61	4.10
From connections to local points	2.72	2.61	2.57	2.46	2.35	2.24	2.79	2.85	2.66	2.66	3.20	2.78
From local points to connections	4.08	3.68	3.32	3.79	4.87	4.04	3.83	2.61	4.01	5.26	4.50	2.63
From junction points (proper) to local points	.94	1.46	.76	1.28	1.18	1.62	1.00	1.56	.87	1.42	.89	1.46
From local points to junction points (proper)	6.99	4.03	4.08	2.58	5.08	3.39	7.81	4.44	7.93	4.27	9.71	5.36
From local points to local points	.29	.23	.28	.18	.29	.27	.23	.20	.29	.22	.37	.28
SUMMARY												
From connections to connections and junction points (proper)	75.86	74.78	79.68	76.18	78.20	74.92	76.26	76.10	74.67	73.28	70.87	73.50
From junction points (proper) to connections and junction points (proper)	9.12	13.21	9.31	13.53	8.03	13.52	8.08	12.24	9.57	12.89	10.46	13.99
All other freight traffic	15.02	12.01	11.01	10.29	13.77	11.56	15.66	11.66	15.76	13.83	18.67	12.51

In the foregoing two statements, traffic moving to or from junction points (proper) is that consigned to or from a junction point; traffic received from or delivered to connecting carriers is classed under the head of connections. The Lessee's lines west of Chattanooga are classed as a connection. While the Interstate Commerce Commission Act provides that shippers may control the routing of their shipments with respect to intermediate and delivering carriers, they do not avail themselves of this right to any great extent, and the intermediate routing is practically within the control of the carriers, and the Lessee controls in this way the routing over the Western & Atlantic Railroad of a large part of the freight which the Western & Atlantic Railroad receives at Chattanooga. The Lessee controls the Rome Railroad which delivers traffic to the Western & Atlantic at Kingston, Ga., it is itself controlled by the Louisville & Nashville Railroad Company which is itself controlled by the Atlantic Coast Line Railroad Company. The two companies last named control the Georgia Railroad. The Louisville & Nashville delivers traffic to the Western & Atlantic at Atlanta, Marietta, and Cartersville, Georgia; and the Georgia Railroad delivers to the Western & Atlantic at Atlanta. Of the total freight traffic received by the Western & Atlantic Railroad from connections during the three years ended June 30th, 1915, 1914 and 1913, and of the revenues earned by it thereon, the proportions received from the Lessee and its affiliated lines were as follows:

Connecting carriers delivering to West- ern & Atlantic	1915-14		1914-13		1913-12	
	Tons %	Reve- nue %	Tons %	Reve- nue %	Tons %	Reve- nue %
N. C. & St. L. Rwy	50.07	57.91	55.36	63.83	61.01	68.50
Rome Railroad	1.28	.94	1.22	.98	1.05	.94
L. & N. R. R.	20.12	8.56	17.97	6.97	15.29	6.39
Georgia Railroad	5.02	5.39	4.08	4.52	3.51	3.62
Sum	76.49	72.80	78.63	76.20	80.86	79.45

From the three foregoing statements it appears that about three-fourths of the tonnage carried by the Western & Atlantic Railroad is received from connections and produces about three-fourths of the freight revenues. It further appears that of these three-fourths upward of 76 per cent of the tonnage and 72 per cent of the revenues are contributed by the Lessee and its affiliated lines; in other words the Lessee and its affiliated lines contribute more than 56 per cent of the total tonnage carried by the Western & Atlantic Railroad and on traffic thus contributed it earns about 56 per cent of the total freight revenues. The detailed figures upon which these computations are based are shown in statement No. 4 in the appendix to this report.

There are also given in the appendix various operating statistics pertaining to the Lessee's entire system and to the Western & Atlantic as a part of the Lessee's system, together with comparisons expressed in percentages. These show that the relative importance of the Western & Atlantic as a part of the Lessee's system is nearly constant, with a slight tendency to decline.

The foregoing figures lead me to the conclusion that the Western & Atlantic Railroad is in important part of the Lessee's system, but because of the fact that so large a proportion of its traffic is from connections to connections and that such traffic as well as a considerable portion of its other traffic can be moved over competitive routes it cannot be considered an indispensable part of such system. Assuming that no radical falling off in business occurs, that the tax burdens levied upon the property are not made proportionately heavier than at present, and that if the tendency toward increase in necessary operating expenses persists the public will allow that fact to be provided against through an increase in revenue, the Lessee can apparently afford to pay as a rent for this property about \$600,000.00 per annum, if the rent is to be a fixed sum. If the rent is to be contingent on the amount of traffic and the income from joint facilities, rent of buildings and other property off the right-of-way, etc., may be assumed to increase substantially in proportion to the amount of traffic, as when considered over a period of years as it doubtless will, the rate may probably be as high as one-fourth of a cent per revenue ton-mile and a like amount per revenue passenger mile. If the miscellaneous property at Chattanooga not used for railroad purposes were to be excluded from the lease, the rent exacted would have to be correspondingly diminished, as it would also if the Lessee were to be restricted in the matter of granting trackage and other joint rights to other carriers in connection with the use of Western & Atlantic Railroad property. If, for any reason, the Western

& Atlantic Railroad Commission should conclude that the income that may be derived by the Lessee from these sources will not fluctuate substantially in proportion to its earnings from the traffic carried over the Western & Atlantic railroad, the measure of rent above suggested would require modification.

(Signed) W J. MEYERS.

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EXHIBIT "C"
INVITATION FOR
PROPOSAL FOR LEASE, AND FOR EXTEN-
SION OF THE
WESTERN & ATLANTIC RAILROAD
PUBLISHED BY THE
WESTERN & ATLANTIC RAILROAD COM-
MISSION.

INVITATION FOR
PROPOSALS FOR LEASE, AND FOR EXTEN-
SION OF THE
WESTERN & ATLANTIC RAILROAD
OWNED BY THE
STATE OF GEORGIA.

WESTERN AND ATLANTIC RAILROAD COM-
MISSION, ATLANTA, GEORGIA.

NOTICE

INVITING PROPOSALS FOR LEASE, AND EXTENSION OF
THE WESTERN & ATLANTIC RAILROAD.

Pursuant to authority conferred by law, the Western and Atlantic Railroad Commission hereby invites proposals for lease of the Western & Atlantic Railroad, and for extension of said road from Atlanta to the sea.

All proposals, whether for lease or extension, must be in writing, sealed, and addressed to "Western & Atlantic Railroad Commission, The Capitol, Atlanta, Ga.," plainly endorsed on the outside of the envelope "Proposal for Lease" or "Proposal for Extension" or "Proposal for Extension and Lease," as the case may be. Each of such proposals must be accompanied with a certified check on some solvent Bank within this State, acceptable to this Commission, in the sum of Twenty-five Thousand (25,000.00) Dollars, payable to the order of the Western & Atlantic Railroad Commission, as a guarantee of good faith, and to be forfeited to the State of Georgia, in the event the proposal which it accompanies is accepted and the bidder fails or refuses to comply with the said proposal. If said proposal is rejected or for any reason not accepted by the said Commission, said check will be returned to the party depositing the same. Each proposal must be signed by the person or persons submitting it and must disclose the names and addresses of each signer of the proposal and of the persons associated therein, whether individuals, firms or corporations.

All proposals must be delivered to or received by the Commission at its office in the Capitol in the City of Atlanta on or before twelve (12) o'clock noon, Central standard time, of Tuesday, the fifth (5th) day of December, nineteen hundred and sixteen (1916). All proposals will be opened and considered by the Commission in executive session, and will not be made public, unless the Commission shall, after consideration, so direct.

The Commission expressly reserves the right to reject any or all proposals that may be received, or enter into negotiations for such modifications or changes in, and additions to any or either of such proposals with the end in view of arriving at an agreement upon such terms and conditions as may be acceptable to the Commission.

All proposals are to be made and considered subject to the terms, conditions, requirements, limitations and provisions contained and expressed in an Act of the General Assembly of the State of Georgia, approved November 30th, 1915, providing for the leasing or other disposition of the Western & Atlantic Railroad and its properties, and the Acts amendatory thereof and supplemental thereto, approved August 4th and August 19th, 1916, copies of which Acts will be furnished those contemplating submitting proposals, upon application to the Secretary of the Commission.

Subject to the foregoing provisions and requirements, proposals are invited as follows, to-wit:

I. FOR LEASE OF WESTERN & ATLANTIC RAILROAD.

Proposals should be based upon leasing the West-

ern & Atlantic Railroad, as now constructed and existing, together with all of the properties and property rights, of every kind and character, belonging or appertaining to said Road, and being the property of and owned by the State of Georgia: *Excepting* two certain parcels of real property in the City of Chattanooga, Tenn., hereinafter reserved.

Proposals should be further predicated upon a lease for a term or period of Thitry (30) years from and after the expiration of the present outstanding lease, to-wit: December 27, 1919, or for a term or for a term period beginning December 27, 1919, and ending October 12, 1966; or for each of the above named terms or periods, separately stated.

Proposals must contain, among other things, statement of the following:

(a) The term for which the lease is desired, which may be stated in the alternative;

(b) The monthly rental offered, which may be stated as a flat amount payable for and during each month of the term of the lease; or in amounts to progressively increase at stated intervals during the term; and what, if any percentage based upon gross earnings or gross tonnage, will be paid in addition to and over and beyond the fixed monthly rental, whether flat or progressive.

There is hereby reserved from the properties of the Western & Atlantic Railroad, subject to be leased in accordance with the foregoing invitation two (2) certain lots or parcels of property lying and being in the City of Chattanooga, Hamilton County, Tennessee, as follows:

(a) That tract or parcel of land, bounded by Market Street, Georgia Avenue, and Tenth Street, upon which there is situated a four (4) story building now occupied by the Southern Express Company;

(b) That tract or parcel of land situated at the corner of Market and Eleventh Streets, upon which is now situated a four (4) story hotel building, now known as the Eastern Hotel.

II. EXTENSION OF THE WESTERN & ATLANTIC RAILROAD TO THE SEA.

The Commission will receive proposals for an Extension of the Western & Atlantic Railroad from the City of Atlanta to either or all of the Georgia ports, either by the original construction of a standard gauge new line, or by the acquisition, in whole or in part, of existing line or lines of railway. Each proposal must be submitted within the time, in the manner, and in conformity with the general requirements and provisions herein above stated, with respect to all proposals, including deposit with the Commission of a certified check in the sum of Twenty-five Thousand (25,000.00) Dollars.

All proposals for an extension of the road will be received subject to the terms and provisions of the Acts of the General Assembly of Georgia herein above referred to, including the Act of August 19, 1916, which provides, among other things, that the Commission is authorized to contract to pay for such extension, whether acquired through construction, purchase or otherwise, in bonds of the State of Georgia, provided the issuance of such bonds by the

State shall be authorized by proper constitutional amendment and Legislative authority.

All proposals for such extension to the sea must clearly and plainly set out and show, among other things, the following, to-wit:

1. Whether the extension is to be accomplished wholly by original construction, or wholly by the acquisition of existing line or lines of railway, or in part by construction and in part by acquisition of existing lines of railway, specifically naming and describing the existing railway line or lines to be acquired in whole or in part.

2. The time within which the extension shall be completed and equipped and ready for operation by the State or its Lessee.

3. The cost to the State of acquiring and purchasing the completed extension, equipped and ready for operation, payable in the bonds of the State, if authorized to be issued by proper constitutional amendment, and legislative authority.

4. The terminal port or ports to which the extension will be constructed; the approximate length of the lines; the general route, naming the counties to be traversed and the towns or cities through or near which the line will be built; together with maps and profiles of the proposed line and plat of all surveys that may have been made.

5. Maps and other description of the terminal properties, including buildings and yards, to be acquired and used at each of the several ports to which the line is proposed to be extended, showing location, extent and character of all such terminal properties, together with the deep water frontage

or means of access to such deep water, and the facilities for the exchange of passengers and freights as between water and rail, including dock facilities and wharves.

6. With respect to the line of construction each proposal must show:

(a) Details of estimated cost, with unit prices; (b) maximum curves; (c) maximum gradients; (d) weight of rail; (e) ballast material and the amount to be used per mile of road; (f) standard roadbed sections; (g) streams to be crossed, with character and type or general design of the bridges, trestles or other structures for passage thereover; (h) treatment of crossings of other railways, of public roads, and of street crossings in cities and towns, whether at grade or overhead or underneath; (i) minimum width of right-of-way; (j) type of stations, depots, water stations, section houses, and other structures along the line of road; (k) type and general description of machine shops, engine houses and other structures for housing, repairing and maintaining rolling stock and equipment.

7 Rolling stock and equipment to be supplied for operating the road, showing the number, type and general character of locomotives, freight, passenger, mail and express cars, and other equipment.

III. FOR LEASE OF THE ROAD AS EXTENDED.

Proposals for lease of the Western & Atlantic Railroad as and when extended must be in the form and subject to all of the requirements herein above expressed with respect to proposals for lease of said road as now existing, excepting that the terms or

periods of the lease of that part of the road to be extended from Atlanta to the sea shall begin at the date when said extension shall have been fully completed and accepted by the State, and shall run for the then unexpired portion of a period of thirty (30) years from December 27th, 1919, or for a term ending October 12th, 1966.

Those who may in good faith contemplate submitting proposals in substantial compliance with the requirements hereof are invited to apply to the Chairman of the Commission for such other pertinent and available information as may be desired.

By Order of the Commission:

J Groves Cohen,

Secretary

C. M. Candler,

Chairman.

Atlanta, Ga., Sept. 25th, 1916.

EXHIBIT "D"

COPY OF FORMAL PROPOSAL OF LEASE
AS ORIGINALLY SUBMITTED
BY
THE NASHVILLE, CHATTANOOGA & ST.
LOUIS RAILWAY.

*To the Western & Atlantic Railroad**Commission, the Capitol, Atlanta, Ga.:*

Gentlemen: Pursuant to your notice of September 25th, 1916, The Nashville, Chattanooga & St. Louis Railway, a corporation organized under the laws of the State of Tennessee, with its chief office at Nashville, Tennessee, hereby submits its proposal for the lease of the Western & Atlantic Railroad, as now constructed and existing, together with all of the property and property rights of every kind and character belonging and appertaining to said road, and being property owned by the State of Georgia, with the exception of the two particular parcels of land located in the City of Chattanooga, Tennessee, and mentioned and described in said notice, to-wit:

It will take over and operate, under a written lease contract, the said property of the Western & Atlantic Railroad, above mentioned, for a term of years beginning at the date of the termination of the present lease and ending on the 12th day of October, 1966, and will covenant and bind itself by said contract to pay to the State of Georgia as rental for said property the sum of Forty Thousand Dollars (\$40,000.00) per month, payable in advance on the first day of each calendar month during said term, or at such times as may be determined by the said Western & Atlantic Railroad Commission, and will further covenant and bind itself to pay on that portion of said property lying within the State of Tennessee all taxes that may be legally assessed and levied thereon under the laws of said State. The said proposition of rental is based, however, upon

the condition that said proposed Lessee shall be exempt during the entire term of said lease from the payment of any tax of whatsoever nature on said property lying within the State of Georgia, and from the payment of any privilege, franchise, or other tax for the operation thereof, whether the said property tax be levied and assessed by the State of Georgia or by the counties and municipalities thereof, and that a provision shall be inserted in the final contract of lease exempting the Lessee from the payment of any and all such taxes within the State of Georgia.

This proposal of lease is made subject to the terms, conditions, requirements, limitations and provisions contained and expressed in an Act of the General Assembly of the State of Georgia approved November 30, 1915, relating to the leasing or other disposition of the Western & Atlantic Railroad and its properties, and the Acts amendatory thereto approved August 4th and August 19th, 1916, respectively; provided that Section 11-A of said Act of November 15, 1915, as amended by the Acts approved August 4th and August 19th, 1916, providing that "the said Lessee shall not sub-let or re-lease the Western & Atlantic Railroad, or any part thereof, except such as is not needed for railroad purposes, without the approval in writing of the Governor of the State" be construed by the Western & Atlantic Railroad Commission as not prohibiting the Lessee from granting trackage rights over said railroad for the trains of other railroad companies in the manner in which the Lessee under the present lease has permitted the use of said tracks

for the trains of the Seaboard Air Line Railway and the Louisville & Nashville Railroad Company, and that permission to the Lessee to grant such trackage rights, if it so desires, to other railroad companies shall be incorporated in the lease contract authorized to be executed by the Western & Atlantic Railroad Commission by said Act approved November 30th, 1915.

The Nashville, Chattanooga & St. Louis Railway herewith encloses a certified check for the sum of Twenty-five Thousand Dollars (\$25,000.00) payable to the order of the Western & Atlantic Railroad Commission, on The Lowry National Bank of Atlanta, Georgia, in accordance with and subject to the conditions set forth in said notice inviting proposals for lease dated September 25th, 1916.

In witness whereof The Nashville, Chattanooga & St. Louis Railway has caused its corporate name to be affixed hereunto by its President, this the 5th day of December, 1916.

THE NASHVILLE, CHATTANOOGA & ST. LOUIS RY.

By (Signed) Jno. Howe Peyton, President.

EXHIBIT "E"

COPY OF
LEASE CONTRACT
COVERING
LEASE OF THE WESTERN & ATLANTIC
RAILROAD AND ITS PROPERTIES
BETWEEN
THE STATE OF GEORGIA AND
THE NASHVILLE, CHATTANOOGA & ST.
LOUIS RAILWAY.

STATE OF GEORGIA
COUNTY OF FULTON

WHEREAS, By an Act of the General Assembly of the State of Georgia, entitled "An Act to provide for the leasing or other disposition of the Western & Atlantic Railroad and its properties; for the creation of a Commission to effectuate such purpose, and to define its powers and duties; making an appropriation for the cost of the work required, and for other purposes," approved November 30, 1915, and the Acts amendatory thereof and supplemental thereto approved August 4, 1916, and August 19, 1916, respectively, there was created a Commission to be known as the Western & Atlantic Railroad Commission, which Commission was by the provisions of said acts authorized and empowered to lease and contract for the leasing of the railroad properties known as the Western & Atlantic Railroad, including the terminals thereof and its property other than its railroad property not connected with either of its terminals; and was further authorized and empowered to fix and determine all the terms and conditions upon which the said property should be leased, except as limited by the provisions of said Acts, and was further authorized and empowered to agree upon all the terms and details of a formal lease contract, which upon being prepared and certified to the Governor by the said Commission should be executed by him in behalf of the State;

AND WHEREAS, The said Commission, organized in pursuance of the provisions of said Acts, has, in

regular meeting assembled, by a unanimous resolution agreed to lease said property to The Nashville, Chatanooga & St. Louis Railway, a corporation duly organized and existing under the laws of the State of Tennessee, with its principal office at Nashville, Tenn., under the terms and conditions hereinafter set forth; which resolution, together with all the terms and details of this lease contract, has been certified to the Governor of the State of Georgia by the said Commission:

AND WHEREAS, It is further provided in said Acts that when said lease contract shall have been so prepared and certified to the Governor, the same shall be executed by him in behalf of the State of Georgia.

NOW THEREFORE THIS INDENTURE, Made and entered into on this 11th day of May in the year of our Lord One Thousand Nine Hundred and Seventeen, by and between the said State of Georgia, as represented by Nathaniel E. Harris, Governor of the State, for and in behalf of the said State, as party of the first part, and the said The Nashville, Chattanooga & St. Louis Railway, a corporation as aforesaid, as party of the second part:

WITNESSETH:

FIRST: The said party of the first part, under and by authority of the said Act approved November 30, 1915, and the Acts amendatory thereof and supplemental thereto, approved August 4, 1916, and August 19, 1916, respectively, and in pursuance thereof, and of the said resolution of the said Western & Atlantic Railroad Commission, in considera-

tion of the premises and of the conditions, covenants and stipulations herein set forth, does hereby lease, for a term of fifty (50) years beginning from and immediately at the termination of the lease contract now existing (which will terminate on the 27th day of December, 1919), and ending on December 27, 1969, to the said party of the second part, viz: to The Nashville, Chattanooga & St. Louis Railway, the said Western & Atlantic Railroad, a railroad running from the City of Atlanta, in the State of Georgia, to the City of Chattanooga, in the State of Tennessee, including the terminals thereof, and its property other than its railroad property not connected with either of its terminals, together with all its houses, work shops, rolling stock, depots and appurtenances of every kind and character, belonging and appertaining to said railroad, except the following pieces or parcels of land, to-wit: Those certain lots or parcels of property lying and being in the City of Chattanooga, Hamilton County, Tennessee, described as follows, to-wit:

(a) That tract or parcel of land bounded by Market Street, Georgia Avenue and Tenth Street, upon which there is situated a four story brick building now occupied by the Southern Express Company.

(b) That tract or parcel of land situated at the corner of Market and Eleventh Streets upon which is situated a four story brick hotel building, now known as the Eastern Hotel.

All being the property of the State of Georgia, and which the said Acts of the General Assembly of

Georgia hereinbefore mentioned authorized the Western & Atlantic Railroad Commission by resolution to lease, and which further empowered and authorized the Governor of said State, when such resolution was certified to him, to execute the lease contract on behalf of the State of Georgia.

SECOND: Subject to and in accordance with the terms, limitations and provisions of this contract of lease and of the several Acts of the General Assembly authorizing the same, the party of the first part covenants the quiet and peaceable possession and enjoyment of all the property herein leased to the party of the second part, as against any acts that may be done by or under the authority of the State of Georgia.

THIRD: It is stipulated and agreed that said lease is made to said party of the second part, with all the rights, powers, and privileges conferred on it by said Act approved November 30, 1915, and the Acts amendatory thereof and supplemental thereto approved August 4, 1916, and August 19, 1916, respectively, and subject to all the requirements, obligations and duties thereby required of it, all of which provisions the said party of the second part hereby agrees faithfully to perform.

FOURTH: The said party of the second part agrees and binds itself to pay into the treasury of the said State of Georgia in advance, on the first day of each and every month during the period of the lease, the sum of Forty-five Thousand (45,000) Dollars, and further agrees to deposit with the Treasurer of the State of Georgia, recognized valid

bonds of the State of Georgia, or of the United States, of the par value of Six Hundred Thousand (600,000) Dollars, which deposit shall be subject to the requirements and provisions of Sections Nine (9) and Ten (10) of the said Act approved November 30, 1915. The party of the second part, through any person authorized by it, shall have access to said bonds for the purpose of clipping the coupons thereof in order to collect the interest on said bonds.

FIFTH: The party of the second part agrees that it will at all times during the continuance of this lease keep and maintain said railroad, including all of its structures, rolling stock, equipment and appurtenances used in connection therewith, including rolling stock and equipment added to the property of the State under Section Six (6) of this contract, in a condition at least equal to that of first-class railroads within the State of Georgia and adequately adapted efficiently, safely and expeditiously to serve the public as a common carrier in the transportation of freights and passengers.

SIXTH: It is further agreed as a part of the consideration of this contract of lease, that in addition to and exclusive of such expenditures as may be required for the proper repair and maintenance of said railroad and its properties, the party of the second part shall credit annually to an account called "Additions and Betterments of the Western & Atlantic Railroad" such an amount as will show at the end of any year during the term of the lease that there has been credited thereto an aggregate amount equal to Sixty Thousand (60,000) Dollars, multiplied by the number of years the lease has run.

It is agreed and stipulated that there shall be charged to such account only such expenditures as are now classed to be Additions and Betterments under the rules at present issued by the Interstate Commerce Commission, these expenditures, so charged to the account of Additions and Betterments of the Western & Atlantic Railroad, shall continue to be made annually during the entire period of the lease until an aggregate amount of Three Million (3,000,000) Dollars has been so expended. At the termination of the lease by maturity, or for any other cause prior to maturity, any balance remaining unexpended to the credit of said account, that is, an average of Sixty Thousand (60,000) Dollars per year during the time the lease has run when terminated, shall be paid over to the State of Georgia. All additions and betterments so made and charged against such account shall be and become the property of the State of Georgia, and subject to the provisions of this lease, without abatement, deduction or off-set of any kind or character whatsoever.

The expenditures above referred to, subject to the definition and limitation above expressed, shall be made by the party of the second part as and when deemed by it expedient and desirable. The party of the second part shall annually, on or before the 20th day of January in each and every year, prepare and file with the Railroad Commission of Georgia, or such other authority as the State may hereafter designate, a statement showing in detail the character and extent of the improvements, betterments and additions claimed to have been made by the party of the second part during the preceding

calendar year ended December 31, which statement shall show the specific character of each expenditure and the amount thereof for which credit is claimed by the party of the second part. The said Railroad Commission of Georgia, or other designated authority, shall examine such statement and account, and if found correct shall endorse approval thereon within sixty (60) days after submission thereof and file the same with the custodian of the records of the Western & Atlantic Railroad. Should the said Railroad Commission of Georgia, or other designated authority acting at the time, question the correctness or propriety of any item or charge of the statement or account, and should fail to come to an agreement with the party of the second part with respect thereto, the matter in dispute shall be submitted to arbitration in the manner as is now provided by the laws of the State of Georgia in Sections 5030 to 5054, both inclusive, of the Code of Georgia for 1910.

SEVENTH: It is understood and agreed that in making improvements and betterments for the use and operation of the Western & Atlantic Railroad the party of the second part shall, in so far as it properly may, construct and maintain the same upon the property of the State, to the end that the integrity of the Western & Atlantic Railroad for the uses of transportation shall be preserved and facilitated.

EIGHTH: Whatever additional lands or rights-of-way may be required for revision or double tracking of the line of road, or for other additional tracks or station grounds, shall be acquired at the cost and expense of the party of the second part, but the title

thereto shall be taken in the name of the State of Georgia and the same shall be and become a part of the Western & Atlantic Railroad, and as such subject to all of the terms and conditions of this contract. The party of the first part will give its consent to the revision and double tracking of the line as deemed desirable by the party of the second part, and will co-operate in securing the land necessary therefor at the expense of the said party of the second part, the title thereto to be taken in the name of the State as last above provided.

It is understood and agreed that no radical departure in the route or direction of the line of railroad, nor abandonment or discontinuance of any part of the line as now constructed and operated, shall be made or permitted without the previous consent of the Railroad Commission of Georgia in behalf of the State, or other such authority as the State may hereafter appoint and designate.

NINTH: It is understood and agreed that the party of the second part shall be exempt, during the entire term of said lease, from the payment of any taxes, of whatsoever nature, on said properties lying within the State of Georgia, and upon all properties hereafter acquired and charged to the account of "Additions and Betterments of the Western & Atlantic Railroad," as provided in Section Sixth (6th) hereof, and from the payment of any privilege, franchise or other taxes for the operation of said property. But the party of the second part shall pay all tax assessments and governmental charges as may be imposed during the term of said

lease by the Government of the United States, and shall be required, and hereby obligates itself to pay on all of that portion of the leased properties covered by this contract, lying within the State of Tennessee, all taxes and assessments that may be legally levied under the laws of said State. But nothing herein shall be construed as exempting from taxation, the rolling stock, equipment or other property owned by the party of the second part and used in connection with the operation of the properties herein leased, all of which shall be subject to taxation as other like property is taxable in the State of Georgia; provided, however, that if such rolling stock, equipment or other property so used in connection with the operation of said leased properties be properly charged at any time to the account of "Additions and Betterments of the Western & Atlantic Railroad," under the provisions set forth in the Sixth (6th) Section of this contract, the same shall thereafter be exempt from taxation by or under authority of the State of Georgia, to the same extent as the properties herein leased and lying within the State of Georgia.

TENTH: The right of the party of the second part to sub-let any part of the property not useful for railroad purposes shall be exercised subject to the terms, conditions, obligations and requirements of the said Acts of the General Assembly and of this contract of lease. No such sub-letting shall extend beyond the term of this lease, whether by expiration of time, forfeiture or other cause; nor shall any such sub-lease confer upon the tenant or sub-lessee any greater or other right to use the property than the

party of the second part would have under this contract of lease; nor shall it give rise to any privity of contract as between the sub-lessee and the State; nor introduce a new party to this contract, nor relieve the party of the second part of any duty, obligation or requirement imposed upon it by law or by this contract of lease.

ELEVENTH: The granting by the party of the second part of trackage rights to other carriers over the Western & Atlantic Railroad or any part thereof shall not be construed as a sub-letting of the property, such as is forbidden by Section 11-A of the Act without the written consent of the Governor of the State, provided, however, that such use of the tracks and property of the Western & Atlantic Railroad shall always be had and exercised subject and subsidiary to the domination and control of the party of the second part, and further subject to all of the duties, obligations and liabilities of the party of the second part to the State of Georgia, under the Acts of the General Assembly of Georgia and this contract of lease; and it is further understood and agreed that no contract or agreement for any servient use of the tracks or railway facilities of the Western & Atlantic Railroad, granted by the party of the second part to any other person, shall be construed as introducing a new party to the contract between the party of the second part and the State of Georgia; and every such servient use shall be subject in all respects to this contract of lease, and as between the State and the party of the second part such servient use shall be regarded as being

the use by the party of the second part, through its agent or tenant.

TWELFTH: There is hereby expressly reserved to the party of the first part the power to authorize the laying out, building and construction of such ways, streets, roads, bridges, or viaducts across or along the properties leased as may be deemed to be to the interest of the people of Georgia, without let or hindrance, and without liability over to the party of the second part by abatement of lease money or otherwise, as is provided in Section 11-B of the said lease Act, approved November 30, 1915.

THIRTEENTH: At the expiration of the term of said lease the State of Georgia may claim the right of purchasing from the party of the second part any or all property or properties acquired by it during the term of the lease and used for the convenient operation of the Western & Atlantic Railroad, under the following conditions, to-wit:

(1) The State shall give to the party of the second part notice of its desire to acquire such property at least one year before the expiration of the lease, or in the event of an earlier termination of the lease by forfeiture or otherwise, within six months after such termination.

(2) If the party of the second part is willing to sell such property to the State, its reasonable value, as defined in paragraph four (4) of this section, at the time the notice of such claim of right to purchase is given to the party of the second part, shall be paid by the State of Georgia, and in the event the parties hereto cannot agree as to such reasonable value, the amount thereof shall be determined by arbitration

as now provided by Sections 5030-5054, both inclusive, of the Code of Georgia for 1910.

(3) In the event the party of the second part is unwilling to sell any parcel or piece of property which the party of the first part gives notice it desires to purchase, the respective rights of each shall be determined by arbitration under the aforesaid sections of the Code of Georgia. The arbitrators shall first determine whether the party of the second part shall be required to sell said parcel or piece of property, in determining which the arbitrators shall give consideration to the necessity of each party for the use of said property or any portion thereof. Should said arbitrators determine that the party of the second part should not, if unwilling, be required to sell the whole of said parcel or piece or any portion thereof, then said arbitration shall be final as provided in said sections of the Code of Georgia. Should, on the other hand, said arbitrators determine that the party of the second part should, though unwilling, be required to sell the whole of said parcel or piece of property, then said arbitrators shall be authorized to proceed to fix a reasonable value to be paid by the party of the first part. Should said arbitrators determine that the said parcel or piece of property should be divided between the parties hereto, then they shall proceed to assign to each the particular portion thereof which, in their judgment, each should have, and shall also fix the reasonable value of the portion so assigned to the party of the first part.

(4) In no event shall the reasonable value of any property so acquired by or assigned to the party of the first part under the provisions of this Section be fixed at a greater sum than the cost of such property, including improvements thereon, to the party of the second part, plus twenty-five (25) per centum thereof.

(5) It is further agreed that whenever the party of the second part shall acquire and be prepared to enter upon the use of any property of the character of that contemplated and referred to in this Section it shall within ninety (90) days thereafter furnish to and file with the Railroad Commission of Georgia, or other authority that may be hereafter designated by the State of Georgia, a statement or report setting out a description of the property, its location, its contemplated use and the purchase price thereof. If the property shall have been acquired upon a consideration other than the payment of money, such consideration, together with the value of the property, shall be stated.

FOURTEENTH: The right is hereby expressly reserved to the party of the first part to remove and cause to be discontinued any or all encroachments and other adverse uses and occupancies in and upon the right-of-way or upon other properties of the Western & Atlantic Railroad, or any part thereof, whether maintained under claim of lawful right or otherwise; and to this end the party of the second part hereby consents that the State may withhold delivery of possession, or right of possession to the party of the second part of such parts of the right-of-way and other properties as may be so adversely

used and occupied, until such encroachments and other adverse uses and occupancies shall have been removed or discontinued; and the State of Georgia may, at its option and in such manner as it may deem best, proceed to remove such encroachments, uses and occupancies, acting therein in its own name and behalf as the owner of the property. It is further understood and agreed that the party of the second part will, if and when so requested, join with the State and become a party to any proceeding, judicial or otherwise, that may be instituted by and on behalf of the State for the purpose of freeing the right-of-way and property of the Western & Atlantic Railroad from all adverse uses and occupancies; provided that nothing herein shall be construed as applying to the tenants and licenses of the present lessee.

It is understood and agreed that when such adverse uses and occupancies shall have been removed by judicial proceedings or otherwise the use of the same for the remaining period of the lease shall inure to the benefit of the party of the second part to the same extent as the other portions of the right-of-way and properties herein conveyed shall inure to it under the terms and provisions of this contract.

FIFTEENTH: Should, during the term of this lease, any building or other structure now upon the property of the party of the first part included in this lease, or any building or other structure hereafter constructed thereon be damaged or destroyed by fire during the term of this lease, the party of the second part binds and obligates itself to restore such build-

ing or structure, within a reasonable time, in substantially as good condition as previous to said damage or destruction.

SIXTEENTH: It is expressly agreed that should any of the terms or conditions in this contract of lease be found to be inconsistent with any of the terms or provisions of the aforementioned Acts of the General Assembly of Georgia authorizing the making of the same, in such event the terms and provisions of the said Acts shall govern and control.

SEVENTEENTH: It is further contracted and agreed that upon the expiration or termination of this lease for any cause, the party of the second part shall account to the party of the first part for the value of all of the rolling stock, equipment, and other movable property belonging to the Western & Atlantic Railroad, both that originally owned by and received from the State at the beginning of the lease, as well as that as to which the ownership of the State may have been acquired by having the cost thereof charged to the account of "Additions and Betterments of the Western & Atlantic Railroad," as provided in the Sixth (6th) and Ninth (9th) Sections hereof.

On such accounting the party of the second part shall pay to the party of the first part the inventoried value of said rolling stock, equipment and movable property received from the State at the beginning of the lease, together with the cost value of all of the rolling stock and equipment acquired during the currency of the lease and becoming the property of the State by being charged to said ac-

count of "Additions and Betterments;" or the party of the second party may turn over to the State rolling stock and equipment in suitable condition for efficient use and service, in amount at least equaling in value that of the rolling stock and equipment so received from and acquired for the party of the first part as in this contract contemplated and provided for.

Should the party of the second part prefer and offer to replace the rolling stock and equipment so received from or acquired for the State as herein provided, and the parties should fail to agree upon the value or efficiency of the rolling stock and equipment so offered, the question of such value or efficiency shall be submitted to arbitration in the manner now provided by Sections 5030 to 5054, both inclusive, of the Code of Georgia for 1910.

IN WITNESS WHEREOF, The said Nathaniel E. Harris, as Governor of the State of Georgia, has hereunto attached his official signature and caused to be affixed the great seal of the State of Georgia in behalf of said State, in duplicate, and the said The Nashville, Chattanooga & St. Louis Railway, has, by its President, John Howe Peyton, who is authorized by said corporation so to do, signed and executed this contract and caused to be affixed by its Secre-

tary the corporate seal, also in duplicate, on the day and year above written.

Executed in duplicate in the presence of

N. E. HARRIS,

Governor of the State of Georgia.

in behalf of the State of Georgia.

PHILIP COOK,

Secretary of State.

[SEAL ATTACHED.]

THE NASHVILLE, CHATTANOOGA & ST.
LOUIS RAILWAY.

By Jno. Howe Peyton, President.

Attest:

J B. HILL, Asst. Secretary.

[SEAL.]

W & A. RAILROAD LEASE—ORDER
FOR RECORD.

ORDERED, That the Secretary of State of the State of Georgia do attach the Great Seal of State to the Contract of Lease executed in duplicate this date by which the Western & Atlantic Railroad and other property described and referred to in said lease contract is leased for a term of Ffty Years to the Nashville, Chattanooga & St. Louis Railway, and that said Lease Contract be recorded upon the Executive Minutes of this State.

This the 11th day of May, 1917

N. E. HARRIS,

By the Governor:

Governor

RAYMONDE STAPLETON,

Secretary Executive Department.

It appearing that on May 11th, 1917, The Nashville, Chattanooga & St. Louis Railway has leased from the State of Georgia the Western & Atlantic Railroad and its appurtenances, it is

ORDERED, That the name of the Nashville, Chattanooga & St. Louis Railway be entered on the minutes of the Executive Departemnt as the corporation making said lease.

It is further ordered that said lease contract be recorded in the Executive Department.

This May 11, 1917

N. E. HARRIS,

By the Governor:

Governor.

RAYMONDE STAPLETON,

Secretary Executive Department.

RESOLUTION
of
WESTERN & ATLANTIC RAILROAD
COMMISSION

AS TO INVENTORY FOR NEW LEASE AND
AS TO ADJUSTMENT UNDER THE
LEASE EXPIRING DECEMBER 27, 1919.

WHEREAS, Under Section 6-A of the Act approved November 30th, 1915, providing for the leasing or other disposition of the Western & Atlantic Railroad, this Commission is charged with the duty and vested with authority to make all settlements and adjustments touching the return of the Western & Atlantic Railroad and its appurtenances and property of every kind included in the present lease at the expiration of the same in accordance with the terms and conditions of the present lease contract, and therefrom and thereafter to make delivery to and take receipt from the new lessee under this Act for all property or properties leased hereunder; and

WHEREAS, The present lessee, The Nashville, Chattanooga & St. Louis Railway, has entered into an agreement with this Commission under which it becomes the future lessee of the property; and this Commission having been advised by its Counsel that with the consent of the said The Nashville, Chattanooga & St. Louis Railway the time for making a settlement and adjustment with the present lessee may be anticipated an agreement therefor

may be had in so far as concerns the rolling stock, equipment and other personal property received by the said lessee from the State at the beginning of the present lease, and Counsel for the lessee having expressed concurrence in such opinion: Be it therefore

RESOLVED, That such settlement and adjustment shall be had as follows:

First—This Commission shall inventory and certify to the Governor of the State to be included in the lease beginning December 27th, 1919, the locomotives and cars received by the present lessee from the State at the beginning of the present lease as of the value placed thereon by the State, to-wit, \$361,041.00, for which value The Nashville, Chattanooga & St. Louis Railway, as the future lessee, shall receipt to the State and shall give the State credit therefor, to be accounted for at the time and in the manner provided in Section 17 of the new lease contract.

Second—With respect to the tools, shop material, office furniture, supplies, and all other personal property, other than the said locomotives and cars, received from the State at the beginning of the lease and accepted by the said Railway as the lessee under date of March 26th, 1891, at the agreed valuation of \$33,093.60, the said Nashville, Chattanooga & St. Louis Railway will agree to make payment in cash in the amount of said agreed valuation, such payment to be made at the expiration of the present lease: Be it further

RESOLVED, That a certified copy of this resolution

be furnished the said The Nashville, Chattanooga & St. Louis Railway, and that its endorsement of approval thereon shall constitute the agreement between this Commission and the said Railway with respect to the matters above referred to.

The foregoing resolution is hereby accepted and approved, this the 11th day of May, 1917

THE NASHVILLE, CHATTANOOGA & ST. LOUIS RAILWAY,

By JNO. HOWE PEYTON,

President.

Attest:

J B. HILL,

Assistant Secretary.

[SEAL.]

At 10:30 o'clock A. M., the Senate went into executive session.

The executive session was dissolved at 10:40 o'clock A. M.

The following Senate bills were read the first time, to-wit:

By Mr. Brown—

A bill to repeal an Act to repeal Sections 3438 and 3442 of the Code of 1910, in reference to charges of usury.

Referred to General Judiciary Committee.

By Mr. McCurry—

A bill to regulate prices charged by landlords claiming liens under Sections 3348 and 3349 of the Civil Code.

Referred to General Judiciary Committee.

By Mr. Townsend—

A bill to transfer the County of Camden from the Brunswick to the Waycross Judicial Circuit.

Referred to General Judiciary Committee.

By Mr. Elders—

A bill to amend Par. 1, Sec. 4, Article 8 of the Constitution of Georgia granting authority to the counties to levy local school taxes.

Referred to Constitutional Amendments Committee.

By Mr. Brown—

A bill to amend Section 5195 of the Code in reference to the answer to writs of certiorari.

Referred to General Judiciary Committee.

By Mr. Brown—

A bill to provide for the collection of attorney's fees on real estate and chattel mortgages.

Referred to General Judiciary Committee.

By Mr. Edwards—

A bill to amend Paragraph 1, Section 1, Article 7 of the Constitution so as to strike the proviso limiting pensions to soldiers and widows worth under fifteen hundred dollars.

Referred to Constitutional Amendments Committee.

By Mr. Brown—

A bill to amend Section 5653 of the Code so as to provide for trial of cases marked "In default."

Referred to General Judiciary Committee.

By Mr. Brown—

A bill to repeal an Act to amend Section 2044 of the Code of 1910 in reference to stock law.

Referred to General Judiciary Committee.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House concurred in the following resolution of the Senate, to-wit:

A resolution to extend the session of the General Assembly in Joint Session to hear His Excellency, the Governor, deliver his annual message in person.

The hour of 11 o'clock A. M. having arrived, the Senate repaired to the Hall of the House of Representatives for the purpose of opening, counting and declaring the result of the election of Governor and State House officials in the last general election and for the purpose of hearing Gov. Harris deliver his annual message, in person.

The President of the Senate took the chair and called the General Assembly to order.

The resolution convening the General Assembly in joint session was read by the Secretary of the Senate.

The President appointed the following members as tellers: Senators Weaver of 23rd District and Logan of 33rd District, and Representatives Bale of Floyd, Stewart of Coffee and Palmer of Hall.

After performing this duty the tellers submitted the following report:

Mr. President:

We, your tellers, appointed to canvass the vote for Governor and State House officers, beg leave to submit the following report:

For Governor—

Hugh M. Dorsey received.....	139,772 votes
Roscoe Pickett	4,217 votes
Thos. M. Taylor	921 votes

For Comptroller-General—

Wm. A. Wright.....	146,857 votes
J A. Kelley	914 votes

For Secretary of State—

Phillip Cook	146,996 votes
Howell C. Harris	914 votes

For Treasurer—

W. J. Speer.....	146,266 votes
Miss Bessie H. Flanigan.....	778 votes

Respectfully submitted,

W F WEAVER,

23d District.

J B. G. LOGAN,

33d District.

JOHN W BALE,

Of Floyd County.

C. E. STEWART,

Of Coffee County.

J E. PALMER,

Of Hall County.

Tellers.

The foregoing report of the tellers was read and adopted and the President declared the officers named therein receiving the highest number of votes as duly elected for a term of two years.

The Secretary of the Senate read the resolution extending the joint session for the purpose of hearing His Excellency Governor Harris deliver his annual message in person.

The following joint committee was appointed to

escort Governor Harris to the Hall of the House of Representatives:

Messrs. Hopkins of 7th District and DeJarnette of 28th District, on part of the Senate, and Messrs. Fowler, of Bibb, White, of Fulton, and Carroll, of Catoosa, on part of the House.

The committee escorted Governor Harris to the Hall of the House of Representatives and he was presented to the General Assembly by the President of the Senate.

Governor Harris delivered his message to the joint session, as follows:

MESSAGE

EXECUTIVE DEPARTMENT, STATE OF GEORGIA.

ATLANTA, GA., JUNE 27, 1917

To the General Assembly:

It is not to be expected that the words of a retiring Governor would have much influence with an incoming General Assembly. Nevertheless we have been taught to give great weight to last words simply because they are "last words."

The two years just passed have been momentous as well to this State as to the world. The most terrific contest ever known among men has been going on in Europe. Millions of people have been slain and many millions more wounded and put in the list of the maimed and ruined for life.

On the 6th of April of this year the President of the United States issued a proclamation, in obedience to a resolution of Congress, declaring that a state of war existed between the United States and the Imperial German Government. The result has been that our whole country is being fast turned into a military camp. The sound of arming is heard everywhere in the land and our boys are being prepared for entering into the contest to defend the honor of the nation and insure the safety of the State for the future.

The preparation for the recent registration re-

quired an expenditure of a considerable sum of money. The Secretary of War asked that the State of Georgia volunteer to carry this expense. I called together the Attorney-General, the Treasurer and the Comptroller-General on May 5th and after ample investigation we decided that there was no money subject to the warrant of the Governor which could be used for this purpose. It was then agreed that the Governor should submit the question to the Legislature in order that it might be settled by that body at its approaching session.

The Secretary, in urging us to do this as a matter of patriotic interest, said that 32 States of the Union had agreed to do so, adding that they could well afford to undertake the matter free of charge to the general Government on account of the nature of the service. The sum expended will not exceed \$10,000, perhaps, which has been or will be furnished by the United States Government and I beg you to investigate the question and decide whether or not in your wisdom you desire to advance the same, so that Georgia shall be put in the list of those that have carried this expense for the Nation at large.

NOTARIES PUBLIC.

The last Legislature passed a law authorizing the appointment of Notaries Public for the State at Large by the State Librarian, Mrs. Cobb. The only record of such appointments is kept in her office and there is no provision for a seal or for certifying extracts from her minutes showing the same. It is believed that there ought to be a record of these appointments kept in the office of the Secretary of

State, so that the necessary certificates might be made in that office which is most concerned in the landed interests of the commonwealth. I recommend that you look into the whole matter and make such changes in the law as will render more efficient these appointments. They ought to be of very great assistance to the public at large inasmuch as their jurisdiction extends over the whole State and access to them is easier than in other cases. The Librarian is deserving of this.

PAROLES.

A large number of cases have come before the Executive in which a parole was recommended by the Prison Commission. Under the law the commission is authorized to recommend such parole after an examination of the history of the prisoner before the commission of the crime and the prison record made by him since his confinement in the penitentiary. If these are found satisfactory the law authorizes the recommendation to the Governor to be made. No matter how heinous the crime, it is not necessarily taken into consideration. These paroles lead almost inevitably to pardons at the end of 12 months. The Governor is required to pass on them and if he approves the recommendation he may grant the parole.

It is not the belief of this Executive that a parole ought to be granted to a prisoner without a full examination into the facts developed on the trial, the character of the crime as well as the previous and subsequent history of the prisoner. The law certainly never contemplated that the prisoner

should be pardoned simply because he had a good prison record and no serious charge was brought against him before the commission of the crime of which he was convicted.

In all cases I have made it a rule to examine the record on the trial of the prisoner and have refused large numbers of paroles when the crime itself was of such a character as to demand the further continuance of the defendant's imprisonment.

It would be well if the Legislature would require an examination of the whole record by the Prison Commission, accounting for the Judge and Solicitor-General, so that all the facts might be ascertained and a proper finding made on the question as to whether the prisoner deserves parole.

RENT OF BAIRD PROPERTY.

After the election and induction into office of the additional members of the Court of Appeals it was found that there was not room in the Capitol for the new Judges. Under the circumstances I was compelled to rent property outside the Capitol building. It became important then to decide what one of the Departments should find offices in the new quarters. In this emergency the Adjutant-General, at the head of the Military Department, generously agreed to take the new offices for the purposes of his Department and move out of the Capitol.

I contracted to pay Dr. Baird, the owner of the property, the sum of \$133.33 per month until the Legislature meets, after which time the arrangement can be examined into and if it is desired to continue the occupancy of the property that body can so de-

cide. The property is situated very near to the Capitol and has been put in shape for the use of the Military Department. It is agreed that the rent shall be reduced to \$100 per month, this rate to date back to January 1st, 1917, if the property is leased for five years. I earnestly recommend that this be done.

INSURANCE OF PUBLIC BUILDINGS.

All of the insurance policies, with a few exceptions, upon the State's property expired during the past year.

The General Assembly made an appropriation of \$150,000, during the two years, to meet the cost of the renewal of this insurance. I am glad to say that the policies were renewed at a cost of \$79,-837.03, thus saving a very large part of the former appropriation.

This matter was conducted by my private secretary under my direction and I am glad to say with very good success.

WESTERN AND ATLANTIC RAILROAD LEASE.

The lease of the Western & Atlantic Railroad was authorized by an Act of the General Assembly, approved November 30, 1915. This lease was completed on the 9th day of May of the present year, the N. C. & St. L. Railway becoming the lessee. A full report of this lease, with the copy of the same and the facts that led up to it, will be laid before your body by the Chairman, Hon. C. Murphey Candler, who has been charged by the Commission with this duty.

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The lease lasts for 50 years, beginning on December 27th, 1919, and ending on December 27th, 1969. The rental is \$45,000 per month, which is an excess of \$10,000 over the present lease. In addition to this, the property not useful for railroad purposes in Chattanooga was left out of the lease, which it is believed will easily bring in a rental amounting to \$13,000 per year.

The lessee agreed also to pay the taxes on the rolling stock, and this, it is believed, will add a considerable sum per year.

I feel like congratulating the State of Georgia on the completion of this lease. A great deal of good work was done and the Commission, composed of Hon. C. M. Candler, Chairman, N. E. Harris, Governor, G. Gunby Jordan, J. L. Hand succeeded by St. Elmo Massengale, and E. A. Copelan, gave faithful service to the work and to the overcoming of difficulties in the way of bringing the matter to a satisfactory conclusion. There was only one bidder and this made the lease more difficult for lack of competition.

The appropriation for the expenses of the commission is exhausted. It will be necessary for the commission to remain in office till the road is turned over to the lessee in 1919. The law requires the commission to superintend the removal of the encroachments on the property and a secretary will probably be necessary to keep up with the work, and preserve the records. The report of the chairman will give in detail the amount of money desired, and the objects to which it is to be applied.

STATE AUDITOR AND LAND TITLE ACT.

I have recommended to previous Legislatures very earnestly the establishment of a State Auditor's Department. Georgia is one of the few States that has no one charged with the duty of preparing a budget or looking after the payments that are made in behalf of the State on claims that are presented against it. No business as large as ours can be successfully run without some one to take care of the expenditures. I earnestly urge you to look into this question and if you deem it advisable, to present a measure that will provide for the selection of such an officer.

A commission was appointed to draw up an Act providing means for ascertaining the validity of land titles in the State and also for the recording of the same. This commission presented to the first session of the last Legislature the result of their labors and a bill was introduced by Mr. Barfield, of Bibb, to carry into effect the result of the commission's suggestions. In view of the importance of clearing off all defects in titles owing to the establishment of the Farm Loan Banks for lending money to farmers it would be well that this Act should be put into effect at the earliest practicable moment. It has been recommended in the report of the Commissioner of Agriculture based on the same grounds herein referred to.

ELECTION OF GOVERNOR AND COMMISSIONER OF
AGRICULTURE.

As the law stands the Governor is elected some nine months before he can be sworn in and enter

upon the duties of the office. This is a serious mistake in our law. The Governor ought to be inaugurated at the beginning of the year following his election.

The Commissioner of Agriculture, who is elected at the same time with the Governor, and who goes into office with him, ought to be allowed likewise to take office on the first of the year.

The difficulty concerning the Governor's term grew out of the Act changing the time of the meeting of the Legislature, passed in 1902. This legislation fixed the time for the convening of the Legislature on the 4th Wednesday in June, and necessarily carried with it a change in the term of the Governor. If there could be a meeting of the new Legislature for say three days during the first week in January, or better still, if a commission could be established with proper powers and authority to meet in January and canvass the votes, the Governor could be inaugurated and take office at a time which would coincide more nearly with the fiscal year of the State.

Georgia is the only State in the Union that inaugurates her Governor in the middle of the year. I would be glad to see a change here in the interest of the State. No effort has been made to remedy the difficulty since the change in the time of the meeting of the Legislature, so far as I am advised.

The pay of the Governor is far below what the duties and the dignity of the office demand. He commissions the Congressmen and Senators of the State and each of these receives \$7,500 in salary. The multiplication of his duties, the high cost of

living and other considerations ought to be sufficient to compel the Legislature to change the salary and fix it at least as high as the officers mentioned whom he commissions. I am suggesting this because I believe the salary of the Governor paid now is a reflection on the State.

The clerical force allowed the Governor is much too small when the amount of business in the Executive Offices is taken into consideration. This allowance was fixed in 1877 when stenographers and typewriters were very little known. The multiplication of pardon applications, the increase in funds that the Governor must pay through his warrants, the increase in the number of commissions, the ever-widening range of correspondence, all these make it imperative that the Governor should have an additional force in the clerical department.

PUBLIC SCHOOL WARRANTS.

There has been no difficulty experienced in negotiating the warrants that are intended to raise the money necessary to pay the teachers in the public schools. The system has worked well during the time it has been in operation and the reproach that Georgia had labored under for many years, of unpaid teachers in the schools of our own children, has been taken away. The warrants have been discounted at the rate of $3\frac{1}{2}$ per cent. The amount issued the first year, 1915, reached \$1,375,081.75; in 1916 the warrants issued amounted to \$1,602,132.15; in 1917, up to the present time, there have been issued and negotiated \$1,375,081.75 of the warrants.

I call attention to two matters that ought to be

remedied concerning the disbursement of the funds for the common schools of the State. Though the discount on the warrants is $3\frac{1}{2}$ per cent.—much less than the different counties had been paying before the passage of the law,—yet some of the counties still refuse to take the money. They make other arrangements and do not conform their business to the time when the State raises the money on the school warrants. Besides this, in several counties the apportionment for the year is not drawn and under the law the appropriation goes over to be drawn the subsequent year. These counties demand the money in the first five months of the year. This course on the part of the county school authorities disarranges the whole financial system and takes away some of the advantages that result to the Treasury from the negotiation of the warrants. I call attention to this matter so that those of you who are interested may look into it and see if a remedy can not be applied. The discount of $3\frac{1}{2}$ per cent. is much better than to levy an additional tax, even by the change of the Constitution, because the money would be taken out of the pockets of the people and brought into the Treasury to pay school teachers at a much earlier date than that on which its taxpayers are now compelled to pay

ATTORNEY-GENERAL'S OFFICE.

The report of the Attorney-General, which will be handed to you during the session, will give you an outline of the work that has been done in his office. There are several matters which will be left over that have been in his charge: notably, the

claims of the State against the First National Bank of Toccoa, and the bank at Baxley, a state bank. Both these banks were state depositories, and the Bank at Toccoa failed on the 8th day of November, 1915, owing the State \$584.12. The bank at Baxley failed on the 24th day of March, 1916, owing \$854.56.

I mention these two banks because the amount due to the State has appeared in every statement of the Treasurer showing the condition of the State's finances made since the banks failed.

The Attorney-General in his report does not show why the amounts due by the depositories have not been collected. I suggested to him at one time to put them in the hands of the Solicitors-General of the respective circuits, or even to retain a lawyer for the purpose of securing the same. I have no doubt there have been serious difficulties in the way of the collection which delayed it although it would seem that the State, having a bond with a lien of the highest dignity upon all the assets, could find some means to realize on the claim.

The bonds of these depositories were all personal bonds and possibly this will explain the obstacles that have been in the way of the efficient and energetic Attorney-General in endeavoring to collect. It would be best for the State that only surety bonds be taken from depositories.

The Attorney-General is now, by the Act of August 8, 1916, made Supervisor of County Records. This is a very important function of the office, one that deserves close attention. You will find from his report that he has been carefully attending to this.

He is also under the same Act appointed to take charge of the collection of the inheritance taxes of the State. In the early part of 1916 after diligent inquiry the Executive became advised of the fact that there was no one directly charged with the collection of these taxes. Reports came into the office of considerable loss due to this fact. Estates were wound up and no attention given to the payment of these taxes due the State. After consultation with the Comptroller-General and others cognizant of the situation, the Governor thought fit to ask Judge John C. Hart, the State Tax Commissioner, to take charge of these matters and look after the collection of the claims. It was no part of Judge Hart's duty to do this. No compensation was agreed on at the time, but it was to be left to the Legislature.

In the matter of the estate of James M. Smith, I had appointed him to represent the State in the litigation which grew out of the construction of the Inheritance Tax Law and other matters. It will be remembered that this case gave rise to a great deal of litigation which it still going on. Judge Hart, however, succeeded in obtaining a judgment for the State taxes amounting to \$106,000, and for this service, requiring appearance in several of the courts of the State and in the United States Court, I allowed him five per cent. of the recovery. While he was engaged in looking after these inheritance taxes he collected outside of the Smith estate about \$48,000, for which no compensation has ever been paid. The amount of payment was discussed between Judge Hart, the Attorney-General and the Governor at one time and it was agreed that five per cent.

would be a reasonable charge. Nothing has been paid, however, and the matter is submitted to the Legislature with the recommendation that the body look into the subject and allow such compensation as may seem proper.

Judge Hart gave both his time and labor to the work of collecting these taxes, and the State has enjoyed the benefit of the same; and it seems to the Governor that it would be but fair to have some remuneration paid to him for these services. He defended the law when attacked for unconstitutionality and saved it to the State.

The said Act of August 8, 1916, devolves upon the Attorney-General the business of looking after and taking care of these taxes. In the report of the Attorney-General it appears that he has appointed attorneys for each county of the State to whom he has delegated a portion of his authority looking to the collection of these claims. It has been suggested that the Act of the Legislature under which the Attorney-General was operating might not authorize the appointment of these attorneys and their payment out of the monies collected by them, unless legislation was secured to that end.

The policy followed by the Attorney-General was called to the Governor's attention on May 5, 1917. Doubtless the Attorney-General believed he had full authority over such matters and could appoint whom he pleased. As the law entrusted him with the collection of these taxes he adopted the method of appointing attorneys for the counties as the best way to carry out the duty. It was certainly not practicable for the Attorney-General to give his personal attention to each of the counties.

The matter is referred to the General Assembly and if any legislation is necessary in the premises, this should be had at the present session.

EXPERIMENT STATION.

Considerable correspondence has taken place between the Secretary of Agriculture and the Governor's Office concerning the present status of the Experiment Station at Griffin. Without going into the matter the Secretary has practically issued an ultimatum concerning it and demands that the Experiment Station be brought into closer relation with the Agricultural College at Athens. The United States law under which these Experiment Stations were established requires that they shall be under the control of the Agricultural Colleges. The Secretary has taken the position that the Experiment Station as now controlled is not under the direction of the Agricultural College. Some of the trustees are from that college, but the majority are independent, appointed by the Governor from each Congressional District.

Unless some legislation is secured to remedy the present defect in the government of the Experiment Station the appropriation made by the United States will be greatly endangered and probably withheld.

I can see two ways that may remedy this trouble: First: To remove the Experiment Station to Athens and put it under the control of the Agricultural College: or, Second: enlarge or change the Board of Management and provide that enough of the trustees of the Agricultural College shall be members of the Board to control the Experiment Station.

I earnestly ask your attention to this matter as it would be a great misfortune to the farmers of the State to lose the appropriation which the United States Government is making for their benefit.

PRISON BOARD OVERWORKED.

The very efficient Prison Board now in office has been seriously overworked during most of my administration. All applications for clemency must first go before this Board and be passed on by it before the Governor can act on the same. The cases which have been brought before it have been more numerous than at any other period in the history of the Board. The evidence in each case is gathered up and put in form for the Governor's attention.

In addition to this duty the Board is charged directly with the supervision and management of the convict forces of the State. A part of this duty is the keeping up of the prison farm, of the reformatory, and looking after the chaingangs of the several counties.

In addition to all this the Board is made the Highway Commission of the State and as such it must receive and expend the monies coming to the State through the United States Government, must direct the work of the roads, supervise and lay out the same and determine the value of the counties' work so as to obtain the ratio between this and the amounts furnished by the General Government.

I have suggested to the Legislature in previous years that it might be well to relieve the Prison Commission by appointing a pardon board,—possibly three good men who might be given the power to

determine and pass on every application for clemency that is presented in behalf of the criminals of the State.

The pardon business is the most difficult and exhausting portion of the work belonging to the Governor's Office. It continuously tries the patience of the Governor, distresses his heart and disturbs his rest at home.

I earnestly recommend that some relief be granted in some way so as to take this burden from the shoulders of your future Governors.

COUNCIL OF DEFENSE.

At the suggestion of the Secretary of War and in order to formulate and harmonize the work of the State and Nation in our military matters, I appointed a State Council of Defense consisting of some 21 persons, whose duty it will be to advise the Governor concerning the various matters that arise during the continuance of the present war. The Governor is the head of this council.

Following this, at the instance of the Secretary of Agriculture, I appointed also a Council on Food Conservation in the State. The business of these councils is to keep in touch with the work of the National Government, aid in carrying it out in the State and act as decentralizing agents for the National Government, to arouse interest in the State and secure harmonious action in all matters involved. At the head of the Food Council I placed the Commissioner of Agriculture.

I have been very much pleased with the work of both of these councils. They have been a great help

to the Governor and so long as the United States departments act with them it will prevent duplication of work, confusion in effort and unnecessary jealousies and dissensions. The departments of the National Government relative to these councils have announced that they will operate in the State through them.

I have been especially gratified by the work of the Food Council. It is believed that the interest in agriculture has never been so great as at the present time within the borders of the State. The able head of this council has sought to bring together all agencies in the State, to work for the good of the Nation, and by his earnest efforts he has brought about a state of affairs in Georgia that bids fair to revolutionize the methods of agriculture and to direct the energies of the people into channels that will make the farmer as necessary and efficient in the Government hereafter as the soldier himself.

It has been suggested by the National Council, of which the Secretary of War is Chairman, that some action ought to be taken by the Legislature (1st) to provide for the expenses of the Council and (2nd) to provide for the payment of a Secretary whose duty it should be to keep the minutes and records. As we are in a state of war and money is necessary to carry it on, I submit to you the question whether or not it would be well to follow the advice of the National authorities.

LYNCHING.

It has been no small subject of rejoicing that the crime of lynching has so greatly decreased within

our limits. At the end of 1916 I caused an application to be made to the Ordinaries of each of the counties of the State for a report of the number of lynchings that had occurred in their respective counties during the year and it was found that there had only been seven instances in which lynchings had taken place, three of these for the ultimate crime. During the present year I have known of no instance within the State. I may say, therefore, that this crime which has brought so great criticism on Georgia has almost completely disappeared from our midst. Fortunately for us there have been none of the capital causes which drive the people to the commission of this crime and it is to be hoped we will learn from the lessons of the past to look to the laws for vindication of the wrongs both to individuals and to communities.

EDUCATIONAL INSTITUTIONS.

The leading educational institutions of the State have done very well during the current year. The catalogues show a heavy increase in attendance in almost every instance. The appropriations for maintenance for the first time since the war approximated the needs of the institutions, and it is to be hoped that the good work done in this respect will not fall short at the hands of the present Legislature.

The report on the work of the University at Athens will be laid before you and will disclose a state of great prosperity, the roll of students reaching a higher figure than ever before.

The Agricultural College under Dr. Soule still

makes the same splendid showing to the people. Its advance has been marked and decided. The work it is doing for the State, the wonderful resources in its hands, all being applied to the welfare of the people in these days of excitement and distress, will make its success as certain as the changes of the seasons.

All these schools have been called on for contributions to the military needs of the nation. The University at Athens has sent some 75 to 80 young men into the service. This includes those from the Agricultural College. The Technological School has 53 from the present senior class already enlisted while doubtless others of the institution are preparing to enlist. The whole senior class volunteered, but only 53 were accepted.

THE GEORGIA NORMAL AND INDUSTRIAL COLLEGE.

This institution has been a favorite of our Legislatures ever since its founding. Under the leadership of its able and energetic President, Dr. M. M. Parks, the school has been growing in popularity and achieving the most wonderful success of any like institution in the nation. It deserves all that the State can give it. The attendance during the year reached 946 students. The summer school had 1,069 additional, making an aggregate of 2,015 students in attendance.

It has been suggested that in the present charter there is no authority to confer degrees. As the women are knocking at the doors of all our institutions established for men, I suggest that authority be given to the Trustees of the Georgia Normal and

Industrial College to confer degrees and to do everything that may be necessary to carry the education of women to the highest degree allowed to men in the State. If this is done there will be no need to allow women to enter the parent institution at Athens, or to open additional branches for them in the State. I do not think well of co-education in our highest institutions.

THE STATE TECHNOLOGICAL SCHOOL.

This school seems to have lost its hold in some respect upon our Legislators. It has been many years since a special appropriation was made to meet its wants. While the maintenance fund has kept pace with that of our other educational institutions, yet the school has been compelled to appeal to the generosity of its friends in order to make any additions to the college buildings or to the equipment of its departments. At the same time the attendance has increased every year for the last ten years until now it numbered eleven hundred and fifty-nine young men who were taught in its halls last session.

It is admittedly the best Technological or Engineering school in the South. In fact its faculty recognize but one better in the Union. The corps of professors is second to none in the Southern States. The curriculum is adjusted to meet the practical wants of the people, and its standard is higher than that of any similar school, save perhaps one or two, in the American Union.

It is doing work for Georgia that can not be estimated, sending out educated engineers to aid in the

progress and development of the country, contributing educated skill to all the industrial work of the State, and promising a future supreme in the development of the various interests of the commonwealth. And yet it could not get an appropriation for a little over \$3,000 at the last legislature to make shelves for the books which were given to it in the legacy of Julius L. Brown, and these books remain packed in the basement, inaccessible to any one! It has not been able to get money to house the machinery which northern manufacturers have donated to it. Its students are deprived of the use of the finest equipment in the South, equipment which did not cost the State a dollar. The great power plant concerning which so much has been said and done is silent on the campus. Its machines are rusting daily, simply because the State will not give the school some \$30,000 to install the machinery and to complete the work necessary to set in operation the plant.

When the United States authorities began to look for an institution in which to place an aviation school to educate young men in that business for the war, they selected this school as one of eight for that purpose in the American Union. The Government pays the expenses of carrying on this work in connection with the other departments of this technological institution.

The Government of the United States appreciates the school, and I hope that this Legislature will visit it, look upon its great departments, its wonderful machines for lightening labor and saving expense and then conclude with the Governor that it

does credit to Georgia and deserves to be honored by an appropriation sufficient at least to house the machinery that has been donated to it.

THE SMITH-HUGHES VOCATIONAL APPROPRIATION.

At the session of Congress which ended March 4, 1917, a bill was passed making a Federal appropriation to aid the State in carrying on vocational education. It was drawn and introduced by Hon. D. M. Hughes and Senator Hoke Smith, so that the legislation bears their names.

The State must assent to the provisions of the Act if it is desired to profit by the same. An appropriation also is asked equal in amount to that of the Federal appropriation,—some \$41,000. In this respect the Act resembles the Smith-Lever provision which the last Legislature met by an appropriation.

The Act in question applies to the common schools, the schools of agriculture and the industrial schools.

It is believed that the counties under the amended constitution may make appropriations to secure the benefit of the Act, and it is not at all certain that the legislature may not divert a portion of the common school fund to this purpose also. A State board must be provided, which I trust will not consist of more than five persons.

I submit the matter to you for action.

TAXING EDUCATIONAL INSTITUTIONS.

The time has come to recognize the work which our educational institutions not under State control are doing for the people throughout the State. For

several years efforts have been made to exempt the endowments of these institutions from taxation and put them more nearly on an equal footing with the State schools with which they compete.

It is impossible for the State to make any provision for endowment in their behalf and the legislation they ask only exempts them from the burden of taxation, which exemption the State institutions enjoy.

It is to be hoped that the present Legislature will examine into the question anew and pass the necessary legislation giving to these institutions the exemption which they have so long asked at the hands of the State.

GOVERNOR'S MANSION.

I called attention of the previous Legislature to the condition of the Governor's Mansion and urged that some action be taken touching the same. It would be well if the Mansion could be sold, or exchanged for some better place for the Governor and his family. Located at the intersection of two great business streets, the noise is so terrible that nothing can be heard at night that takes place within the house. The loudest alarm would have no effect inside the building. A child might be sick through the night and if alone no alarm could reach the parents. The cause of this is the unceasing roar of the streets.

The dust and smoke, too, accumulate so fast that it is impracticable to keep the Mansion clean longer than 24 hours at a time. This causes a heavy expense to the State.

The Mansion also is so situated that there are numberless odors that fill it at times, possibly from open sewers in the streets or from defective plumbing on the lot.

Many repairs should be made and all the plumbing gone over to make it safe and comfortable for the incoming Governor.

I most earnestly advise the Legislature to endeavor to dispose of the property as soon as practicable so as to secure a better home in the city for the Governor and those dependent upon him. The location and size of the lot ought to give it a very good value, which might be utilized for the benefit of the State.

FINANCES OF THE STATE.

The advance sheets of the Comptroller-General's report contain the information that the Legislature at its last regular session made appropriations in excess of the revenues amounting to some \$432,000. These over-appropriations consisted mainly of amounts donated for building purposes to the following institutions:

The Sanitarium at Milledgeville	\$200,000;
Georgia Normal and Industrial School, in the same city	50,000;
Normal School at Athens	100,000;
South Georgia State Normal College at Valdosta.	50,000;
Training School for Girls, at Atlanta	12,500;
For payment of pension fees to Ordinaries	17,500.

This estimate of the Comptroller-General, how-

ever, did not take into account, as he did not then know the fact, that the Governor had saved from the insurance appropriation something over \$70,000.

These special appropriations would have been vetoed by the Governor but for the fact that a proviso was placed upon each one of them postponing payment until after the maintenance funds and appropriations for the several years had been paid and especially the appropriations for the public schools and pensions.

There has been paid upon these appropriations the following:

Sanitarium	\$30,000
Georgia Normal and Industrial College	30,000
State Normal School.	50,000
South Georgia State Normal College	30,000

The appropriations are very important and necessary and it is to be hoped that the funds will be in hand at an early date to pay them in full.

The deficiency in the revenues may be made up by an increase in the inheritance taxes, and by other miscellaneous items coming in from various sources. The treasury is like a bank. It must keep on hand enough funds to pay all just demands. If run in any other manner the State would be utterly bankrupt in a year. It is not possible to forecast the amount of the State's income for the year because of the war that is now upon us and the consequent breaking up or demoralization of business throughout the land.

It would be well for the Legislature at the present session either to add to the general account other

objects of taxation or to raise the special taxes in some sort so as to assure a revenue sufficient to meet the State's obligations and carry on its business. It is hardly probable that there will be any substantial increase in the value of taxable properties that may be placed upon the digest owing to the unsettled conditions caused by the war, as aforestated. There will certainly be a vast slump if the present equalization law is repealed unless something better is enacted.

The Governor has borrowed \$200,000 on the present year. This money does not become due until September 15th, at which time the railroad taxes will come in, amounting to some \$800,000, so that there is no danger of a default.

The reports of the Treasurer and Comptroller-General will be before you.

In administering your finances during my term of office I have some times gone near to the bottom of the Treasury. Major Speer has been more than generous in keeping me advised of the real condition of the State's finances and while I have been forced at times to delay the payment of some of the appropriations until the money came in, yet I did the best I could with the resources in hand and can say with truth that no matured obligation of the State has remained a moment unpaid after presentation. There is no State in the Union with better credit than Georgia.

AGRICULTURAL DEPARTMENT.

The very efficient head of this Department will doubtless submit to you a report of his transactions

since he went into office in the forefront of the present year. A great deal has been done in the way of stirring up interest in the food problem throughout the State and encouraging the planting of grain and raising of foodstuffs to supply the needs of the people of our State, and the army.

A Market Bureau has been inaugurated under a very intelligent director who is trying to insure to our people making efforts to raise foodstuffs, a market for their products, by means of which they may obtain the highest reasonable prices for the same. This is something which has been sadly needed in the State for many years. We talk of diversification in farming, but our farmers have never yet enjoyed any market for the products of their farms except for cotton. It is to be hoped that the machinery being put into operation may bring about a state of affairs that will completely revolutionize our methods in this respect throughout the State.

ELEEMOSYNARY INSTITUTIONS.

The report from the Board of Trustees of the State Sanitarium at Milledgeville will be before you. There is a constant influx of patients into this institution. It is sadly in need of room. It is seeking to utilize the appropriation recently made to it, and needs all the money that the State can spare for its great work of charity.

It is said the falling off of patients for the year may bear on the prohibition question somewhat.

The Deaf and Dumb Academy at Cave Spring and the Academy for the Blind at Macon have been well and properly carried on during the year. Their reports will doubtless be before you.

The Training School for wayward girls, the Soldiers' Home, and the other institutions of the State have all shown some advance in the efficiency of the work which they are doing.

BOARD OF HEALTH.

The Board of Health has labored under great difficulties during the year, but has not been unfruitful of good results.

The collection of vital statistics by the Board has been rendered impossible for lack of funds, although the law requires these statistics to be gathered and preserved. The attention of the Legislature is called to this matter.

The first efforts made with the opium addicts were not entirely successful. In the middle of the last year, a new method of treatment was discovered and applied, and it seems has been very successful. If it is desired to continue the effort to cure this sorely afflicted class a small appropriation should be made to enable the Board to do so.

The Board is very desirous of an appropriation for the manufacture of typhoid serum. The inoculations with serum have entirely banished typhoid from the army, and would do the same for the homes of the citizens. This is a very important matter. In fact the welfare of all the inhabitants of the State is largely in the hands of the Board.

PENSIONS.

The Commissioner of Pensions will make his report to you of the business attended to during the past year.

It became necessary at the called session to se-

cure an additional appropriation amounting to some \$80,000, to bring the payments on the pension roll up to the allowance made in the law. This grew out of a mistake in estimating the death rate too high.

In his report the Commissioner of Pensions urges upon the Legislature several amendments to the present pension laws. Among these he suggests a provision giving him the power to purge the pension roll himself by subpoenaing witnesses and ascertaining the real truth about the pensioners where a challenge has been made.

He says that the amount of money required to pay the pensions for 1918 and 1919 will be respectively \$1,200,000 and \$1,238,000, which he asks that the Legislature may appropriate.

In discussing generally the right to receive a pension the Commissioner becomes very earnest in urging the Legislature to grant a service pension to the remnant of those old Confederate soldiers who are yet with us in life. The property limitation on the granting of a pension he believes is a great injustice. Pensions are given for service in the army and all those who have served under like conditions ought to be entitled to share in the provision made by the State on this account. The fact that a soldier owns \$1,500 ought not to bar him from the benefits which the others enjoy. Especially is this true after he grows older and requires more money to keep him comfortable; the small property which debars him will not take care of him.

If there should be any such increase of pensions as the Commissioner suggests, it must be done by

way of a constitutional amendment upon which the people themselves will be allowed to vote. If in the same provision a percentage of the taxes levied should be set apart for the payment of these claims, then none of our citizens will be in a position to complain against it.

I most earnestly recommend that you read the Commissioner's report.

BOARD OF ENTOMOLOGY.

I wish to call your attention to the good work that is being done by the State Board of Entomology in protecting Georgia's crops from the ravages of seriously injurious insects and diseases. It is just as important for us to protect our crops from insects and diseases as it is to produce them.

The advent of the boll weevil has multiplied the work of this department. The research work on the cotton plant and the development of types of cotton resistant to disease and possessed of early fruiting qualities for boll weevil conditions are of great importance to those who wish to continue the growing of cotton. The results obtained from the experiments on Sea Island cotton indicate that this important industry can be saved to the State in spite of the boll weevil.

I commend the work of this Department to you and recommend that you be as liberal in your appropriation as circumstances will permit.

ROSTER COMMISSION AND COMPILER OF RECORDS.

The Roster Commission and the Compiler of Records need more money to carry on the work they

are engaged in with facility. It is a great undertaking, keeping the records of the State for future generations.

DEPARTMENT OF COMMERCE AND LABOR.

The efficient head of the Department has been carrying on the work of the office energetically and it is reported with great success, during the past year. The work of this office is especially important at this time. Emigrant agents are busy taking away from our State the labor upon which the people depend for cultivating and harvesting the crops which they have planted. The head of this department is gathering facts concerning this, which he will doubtless give to the committee when it calls on him for information. A bill will be presented by the Department which has for its objects the following matters:

1. To place employment agencies directly under the supervision of the Commissioner of Commerce and Labor, and to tax them.
2. To require that said agencies make as frequent reports to said official as may be found to be necessary.
3. To provide for frequent inspections and require that all employment agencies shall take out a state license and give bond for the proper conduct of its affairs.
4. To prohibit emigrant agents, or to so safeguard their operations as to give protection to employers of labor within the State.
5. To provide for a labor exchange or free employment bureau to be conducted by the Commissioner of Commerce and Labor, having for its purpose that of registering the

names of all persons seeking employment and furnishing said information to those who wish to employ labor, and to list the number of employees desired by any given concern and to undertake to supply the needed help.

THE MILITARY DEPARTMENT.

The Act of Congress known as "The National Defense Act" of June 3, 1916, gave to the President of the United States the power to call or draft into the service of the United States such portion of the National Guard of the several States as he might deem necessary in an emergency. Under the authority of that Act, in June, 1916, the President called into Federal service from this State three regiments of infantry, and brigade headquarters, a battalion of field artillery, and five troops of cavalry, including squadron headquarters. This left the State with a battalion of infantry and four companies of coast artillery with their respective battalion headquarters subject to the call of the Governor. All the organizations originally called out are now in the federal service. In addition, a company of engineers recently formed has been called into service, and notice has been received that the remainder of our forces will be drafted on or before August 5, 1917

As Commander-in-Chief of our National Guard, I felt it my duty, as it was my pleasure, to visit the Georgia troops while in service on the Mexican border, and did so, with the Adjutant-General, spending several days of the last week in November, 1916, looking over their several camps in and around El

Paso, Texas. I found them well cared for and displaying those qualities that habitually characterize our Georgia soldiers. After reviewing all our troops at the front and hearing words of commendation from General Officers under whom they were serving, I came away satisfied that our boys were doing their duty and were entitled to the pride and appreciation of the folks back home.

It behooves the State to make proper provision for the care of the armories and home equipment of these organizations while they are away. This is a matter of justice to the men who will carry the name of our State on their banners in far away lands, and I feel sure it will be a pleasure to the General Assembly to take proper steps to this end.

The National Defense Council is urging and the War Department is encouraging the formation of Home Guard Organizations for local and defensive purposes while the National Guard organizations are in Federal service. The National Defense Act permits the formation by the States of State Police or Constabulary. I have been authorizing the formation of Home Guard organizations on suggestion and request of the War Department, but I would suggest the passage of such laws as will give these organizations a state-wide usefulness and make them subject to be sent by the Governor to any part of the State. In this connection I would suggest that the armories of the National Guard in the service of the United States might be temporarily utilized for headquarters of these organizations, under proper regulations.

The Adjutant-General's office will continue to

have a distinct duty and service to perform, although the National Guard will all be under the National Government. The policy has been adopted, and will probably be continued, of handling the details of the selective draft of men for our armed forces through the State authorities, and the Adjutant-General's office is properly held to be the logical instrumentality through which instructions and details are to be handled to and from the local officials. We have just successfully completed the registration of the young men as provided in the Act of May 18th, the details being efficiently handled by the Adjutant-General and the force in his office, assisted and directed by the Governor and the Executive Secretary.

It is hoped that your body will carefully investigate the necessity for the activities above outlined, and let your appropriation for this department be sufficient for the work it will have to do. The National Government will probably call for the co-operation of the State officials in many ways not now foreseen, and it would be well to arm the Executive with the powers and the necessary appropriations to carry our State's share in the burden of the great world war.

PROHIBITION.

It may be of some interest to this Legislature to learn just how the recent prohibition statutes enacted by the previous General Assembly are being received and enforced within the State. That the facts might be ascertained, I had my private secretary write to all the Solicitors-General of the State, together with the Mayors of the principal

cities, for a statement on the subject. The result of this correspondence is shown in the following extracts:

J. M. Lang, Solicitor-General of the Cherokee Circuit, writes under date of the 15th inst. as follows:

“In my opinion the laws known as the prohibition laws which have been enacted during your administration have very greatly reduced the commission of crime in our State.

“The laws which went into effect May 1, 1916, had a very marked tendency to abate the evils of intemperance. Personally I was opposed to any change in them until given further trial. Still I can see that the recent Act which went into effect in March of this year has greatly reduced the amount of liquors consumed since last May.

“Beyond any question the laws which have been passed under your leadership have done more to suppress the liquor traffic in our State than all the other laws combined. At least this appears to me to be the case in my part of the State.”

B. T. Castellow, Solicitor-General of the Pataula Circuit, writes as follows under date of June 15th:

“In reply to your inquiry in reference to the effect the prohibition Acts have had upon the crimes usually attributable to intoxicating liquors, will say that in this circuit those crimes have very materially decreased. There have been few indictments returned, during the last six months, for the illegal sale of liquor, public drunkenness, or unlawfully discharging firearms. Homicides do not seem to have materially decreased, but I have hopes that they will.

“The prohibition laws are being rigidly enforced in this circuit as are, in fact, all the laws of the State. The law as it stands seems to have the approval of the public.”

Robert McMillan, Solicitor-General of the Northeastern Circuit, writes as follows:

“Replying, I would say that a material decrease in crimes in this circuit was discernable immediately after the 1st of May, 1916, which condition obtained until the passage of the present prohibition law, and still another decrease has been shown since its passage.

“I think that I am ultra conservative in stating that crimes attributable to liquor have decreased in this circuit at least twenty-five per cent. since May 1st, 1916.

“The greatest drawback to the present law, as I see it, is the lack of authority to make search without warrant. An officer who suspects a party with a load of liquor (especially if he is traveling in a Ford) does not have time to go before an officer and swear out a search warrant and consequently parties can get away.

“I beg to say that the officers generally in this section seem disposed to enforce the law and quite a number of seizures have been made and condemnation proceedings begun.”

R. S. Foy, writing from Sylvester, Solicitor-General of the Tifton Circuit, states:

“It is my opinion that the character of crimes referred to in this circuit were reduced about fifty per cent. by the Act effective May 1, 1916, and were reduced fully ninety per cent. by the Act of March, 1917. The

last mentioned Act is being rigidly enforced in the counties composing my circuit as to whiskeys, beers, etc., though not as to extracts containing alcohol. The law is enforced as to the latter to a very considerable extent, though not rigidly."

Chas. E. Roop, Solicitor-General of the Coweta Circuit, writing under date of the 13th inst., declares:

"The passage of the Prohibition Law, May 1, 1916, in my judgment, reduced crime at least thirty-three and one-third per cent., and the Bone Dry Law of March 28, 1917, had the effect of reducing crime in this county an additional twenty-five per cent., and I believe throughout my entire circuit. In other words, the number of crimes committed now as compared with the crimes prior to 1916 is about one-half. Had a talk with the Solicitors of the City Courts in Coweta Circuit and they are of the same opinion. * * * *

"I believe the law is being enforced as well as any other law on the Statute books in this county and in the Coweta Circuit."

Doyle Campbell, Solicitor-General of the Ocmulgee Circuit, answered the enquiry on the 13th inst. as follows:

"In response to your letter of the 12th in reference to the effect the prohibition statutes has had I desire to say that the first prohibition act did not reduce the amount of criminal business which went before the grand juries in the Ocmulgee Circuit. This was due to the fact, however, that the grand juries spent considerable time in checking the express records and indicting parties who violated that section of the act which penal-

ized the receiving of more than two quarts within thirty consecutive days. The new law, however, is working splendidly, and while the time is too short to judge it accurately, I believe that it is having an unusually good effect. * * *

"I confidently expect at the Fall term to find at least fifty per cent. reduction in the criminal business, due entirely to the passage of the 1917 prohibition law."

W. O. Dean, Solicitor-General of the Western Circuit, wrote on the 12th as follows:

"The Act of 1916 was one of the best laws ever enacted in Georgia, for the cause of temperance, and very materially decreased crime, but the Act of March 28, 1917, will in my judgment have the effect to decrease crime in Georgia more than fifty per cent. The time expended hereafter on the criminal docket of this circuit will be less than half the time heretofore consumed. There are only a few instances now in which there are prisoners in the jails of the counties in the Western Circuit. The violators of the Act of 1917 will be shown no quarters in the Western Circuit by Judge Cobb, and everywhere it is noticeable that there is less trouble growing out of the use of whiskey. This fact is observed in this circuit already, and we have had but one or two courts in the circuit since the law went into effect."

M. D. Dickerson, Solicitor-General of the Waycross Circuit, replying to the inquiry on the 13th inst., stated:

"There are six counties in my circuit and we have undertaken to enforce the prohibition law as strictly as possible, and I can

safely say that on account of these statutes and the enforcement of the same, since their passage, crime has been reduced in my circuit, at least sixty-five per cent. and probably more.

“It has been my experience in the eight years I have been Solicitor-General and Prosecuting Attorney, for the Superior Courts of the Waycross Judicial Circuit, that eighty-five per cent. of the crime, originates from the use of intoxicating liquors.

“In other words, eighty-five per cent. of the crime committed is attributable either directly or indirectly to the use of alcoholic and spirituous liquors, and I believe that I can say without fear of successful contradiction, that the two prohibition statutes passed in Georgia, during your administration, have reduced crime at least sixty-five per cent. or seventy per cent., and have done more for the people of Georgia than any two statutes that have ever been put upon the Statute books.”

John A. Boykin, Solicitor-General of the Atlanta Circuit, says:

“I think the prohibition legislation of 1916 was a forward step in the right direction, and that it had enough of prohibition in it to make possible the legislation of 1917

“I think the present bill the more nearly what the country needs, because it is the more wide-reaching, the more nearly absolute prohibition.

“Crime unquestionably diminished under the Act of 1916, because it got rid of the social club, where men, especially the young ones, could congregate and ‘treat,’ the most complete inducement to drink. Compar-

tively few men would do much drinking except on similar occasions.

“There has been a great slump, in my opinion, in those crimes ordinarily attributable to whiskey. There has resulted a material reduction in the cases committed from the Mayor’s Court of Atlanta to the Superior Court of Fulton County. And this is largely what I base my judgment on. And the great majority of those now being brought, larcenies excepted, can be traced almost always, to ‘blind tiger’ whiskey.

“I heartily endorse the legislation enacted on the subject of prohibition during your administration.”

J. R. Hutcheson, Solicitor-General of the Tallapoosa Circuit, states:

“The effect of the Prohibition Act that went into effect May 1, 1916, greatly reduced crimes in my circuit usually attributable to intoxicating liquors.

“The Act of March 28, 1917, on same subject has had the effect of reducing to still a greater degree such crimes. In fact, in my circuit now it is rarely that we have a case of public drunkenness.

“The last named Act as well as all other prohibition legislation is being rigidly enforced in my circuit.”

George M. Napier, Solicitor-General of the Stone Mountain Circuit, says:

“The short time which has been allowed for the observation of the effect of the new prohibition statute which went into effect in March this year precludes any opinion that may be of really permanent value. However, the effect of this statute and of the statute which became effective in May, 1916, in les-

sensing the amount of crime is already apparent.

“This season of the year is usually the lightest in the recorded commission of crimes generally, and the excitement incident to the war may also have some effect in diminishing crime, and in diverting attention to its prosecution, but still I am sure that the amount of crime generally throughout the Stone Mountain Circuit has been diminished since the passage of the new prohibition law. It may be said certainly that the crimes ordinarily attributable to the effect of spirituous liquors have been materially lessened by the statute which became effective May 1, 1916.

“The statute which became effective May 1, 1916, has been very vigorously enforced in our circuit; also the statute effective in March of this year. I find that the officers are vigilant and active, and that the Grand Juries will indict for violation of these statutes, and as a rule the trial juries will convict.”

Joseph B. Wall, Solicitor-General of the Cordele Circuit, writing under date of the 19th inst., states:

“After the passage of the Act which went into effect May 1, 1916, I was able to discover very little if any difference in those crimes attributable to drinking liquor. Neither was there much noticeable difference in the number of ‘blind tiger’ prosecutions.

“Since the passage of the Act which became effective March 28th, 1917, however, there is a very great falling off in those crimes attributable to liquor, and prosecutions for selling liquor since that time are almost negligible.”

R. C. Bell, Solicitor-General of the Albany Judicial Circuit, wrote on the 18th inst.:

“In my opinion crime has diminished 50 per cent in the Albany Judicial Circuit since May 1, 1916. I believe the prohibition law effective on that date is almost solely responsible for this decrease.

“We have not tested the conditions prevailing under the Act of March 28th, yet sufficiently to estimate accurately what further diminution of crime that Act will bring about; but I believe that by the 31st day of December, 1917, it can be shown that violations of the law in this circuit during the year 1917 will not exceed forty per cent. of what they were during the years 1914 and 1915, or for any year prior to the enactment of the law at the extraordinary session of 1915.”

W. A. Wooten, Solicitor-General of the Oconee Circuit, writing from Eastman, says:

“The Act of May 1, 1916, had a most notable effect upon the ‘crime usually attributable to intoxicating liquors.’ I do not think it caused many whiskey drinkers to quit drinking entirely, but it certainly eliminated very much of the excessive drinking, that drinking which causes people to lose their reason and consequently commit crime. I would say that this law reduced crime within my circuit at least 15 per cent. It was reasonably well enforced at first.

“Now as to the Bone Dry Law, it has been very much criticised for containing unreasonable and too drastic provisions. I thought myself that it went a little too far in some directions, that it would have been stronger had it been less drastic, but let its critics

criticise as they may, it *prohibits*, and I believe that is the object of a prohibition measure. They simply can not get the liquor, and not being able to get it they do not drink it, and not drinking it they do not commit those crimes attributable to its use.

“Crimes attributable to the use of liquor in my circuit have been reduced by the bone dry Act at least 75 per cent., and all crimes have been reduced since this Act went into effect, I would say thirty-three and one-third per cent. I have just had a week of criminal court here in Dodge County, and out of a full week’s work, there was not one defendant whom the evidence showed to have had liquor in him at the time he committed the crime for which he was tried, that is where the crime was committed since the bone dry Act. I believe that the chaingangs within my circuit by the end of this year will have been reduced fully one-third, and ‘bone dry’ is doing it. I pronounce the law an undreamed of success. I know of numbers of men who were constant drinkers before its enactment who are now teetotalers.”

Claude H. Porter, Solicitor-General of the Rome Circuit, writing under date of June 21st, says:

“In my judgment this enforcement (of these laws) has been very beneficial and crime of all classes greatly reduced.

“What is known as the ‘two-quart’ law was helpful, but it was almost impossible to detect violations from the use of fictitious names and of minors, whereas under the recent ‘bone dry’ Act, there is now no difficulty in locating the guilty party. It is like watching the bees to find the bee tree. Just a simple process of being on the alert.

“The law is being enforced in my circuit, and I am of the opinion that the law and its enforcement is meeting the hearty approval of the great masses of the people.” * * * *

A. S. Skelton, Solicitor-General of the Northern Circuit, answering on June 21st, says:

“Public sentiment appears to be behind these laws, and there is very little signs of drinking now. Crime is unquestionably on the decrease.” * * * *

“The general opinion is, based upon the results of the past year’s operation of these laws, that our present prohibition statutes will reduce intemperance to a minimum, will wipe away fully seventy-five per cent. of the crime of the State, and will be a great boon to the financial and moral progress of our people.” * * * *

Judge John P. Ross, Solicitor-General of the Macon Circuit, who wrote on June 24th, says:

“The prohibition statute effective May 1, 1916, greatly decreased the consumption of intoxicating liquors. The supplemental statute of March 28, 1917, has reduced the consumption of such liquors to a minimum, compared with the quantity consumed prior to May 1, 1916. These laws have largely increased sobriety among the people, and correspondingly decreased the commission of crimes fairly chargeable to the drinking of intoxicating liquors.

“ * * * * They are being enforced about as well as other laws are enforced.”

Alvin V. Sellers, Solicitor-General of the Brunswick Circuit, on June 20th, wrote that he had been in office too short a time to answer the inquiries

that were sent to him. He went in to office on January 1, 1917

E. L. Stephens, Solicitor-General of the Dublin Circuit, wrote as follows on the 21st inst.:

“Permit me to advise that the ‘two-quart’ law was an improvement on the liquor law then on the books. This improvement was slight, however. There was hardly a noticeable decline in crimes attributable to whiskey.

“This law was so easily evaded by the whiskey and tiger element that it was of little value, and in my judgment had it been allowed to stand for just a few years, Georgia would have been a prohibition State in name only

“The ‘bone dry’ statute that went into effect March 28, 1917, has virtually eliminated whiskey, and in my judgment will entirely do so if diligently enforced by those charged with that duty.

“In my circuit there is a well defined disposition and determination to enforce the law both in letter and spirit. There is no open opposition to this law. In fact at least ninety-nine per cent. of my people are delighted with it, and would in no wise for a moment tolerate its evasion, or change, unless to make stronger, if possible to be strengthened.”

Walter F Gray, Solicitor-General of the Middle Circuit, writes on June 21st, as follows:

“The effect of the first law was good and greatly reduced drinking and drunkenness. I think the effect of the last law has been generally good so far as reducing drinking and crime caused by excessive drinking.

* * * *

“The general effect so far as reducing the

class of crimes mentioned above is unquestionably good."

A. L. Franklin, Solicitor-General of the Augusta Circuit, answering the inquiries on June 21st, says:

" * * * * The prohibition law has, in my opinion, done a great deal of good on the same principle of our trying to keep liquor from the Indians. I understand the average convicts at the City Stockade was about 40 or 50 when liquor was sold, and since the prohibition law this average has been reduced to about one-half, or more."

W. F. Slater, Solicitor-General of the Atlantic Circuit, writing on June 23rd, said:

"Crime of all kinds has diminished at least 50 per cent. in the Atlantic Judicial Circuit since May 1, 1916. At the May term, 1915, of the Superior Court of McIntosh county, I tried 15 cases (criminal). At the May term, 1917, I tried two criminal cases,—only two indictments found by the grand jury.

"There has been only one murder committed in the Atlantic Circuit since May 1, 1916.

"The conditions among the laboring people have undergone a revolution for the better. Good order and sobriety are noticeable. They are more industrious and economical. The crime of rape in Georgia has almost ceased since May, 1916."

E. M. Owen, Solicitor-General of the Flint Circuit, writing on June 23rd, said:

"I think the law that went into effect May 1, 1916, reduced crimes usually attributable to intoxicating liquors twenty per cent. at least, and that the Act of March 28, 1917, has

reduced the same class of crimes twenty-five per cent.

“The prohibition law is being enforced in this section.”

John A. Fort, Solicitor-General of the Southwestern Circuit, writing June 21st, states:

“Since the passage of these Acts, especially the one which went into effect March 28, 1917, there has been in this circuit a marked decrease in crimes usually attributable to intoxicating liquors. This decrease is very generally attributed, and I think correctly, to the two late prohibition Acts, especially the last one.

“The prohibition law is being very generally enforced throughout the counties of this Circuit.”

Judge H. A. Mathews, Judge of the Superior Courts of the Macon Circuit, writing direct to the Governor on the 21st inst., states, among other things:

“The number of inmates of the Bibb county jail, according to the statement of Sheriff Hicks made to me, is so reduced as a result of the amendments in question as to make the jail, heretofore a source of profit to him, a source of financial loss.

“The criminal dockets of the three counties of this circuit show a falling off in business of all kinds, that is remarkable in the last eight months.

“A number of Macon merchants, formerly anti-prohibitionists, have voluntarily said to me that the increase of legitimate business within the last year has been very marked, and that they were mistaken as to their belief that business would be injured by extreme

legislation on the subject of intoxicating liquors.”

In his letter Judge Ross called attention to the findings of the Bibb County Grand Jury. The following is an extract from their presentments:

“The work of this Grand Jury has not been as heavy as that of former grand juries; especially is this true as to the bills presented by the Solicitor-General. The total number of bills submitted to this Grand Jury were 52. Of this, there were only 43 true-bills found. We attribute this large reduction in the criminal cases presented to us to the so-called ‘bone dry law,’ which went into effect March 28, 1917, and it is conclusive to the minds of this Grand Jury that this law has had a wholesome effect on the number of cases presented to us, proving conclusively to our minds that absolute prohibition reduces crime to a minimum, and this Grand Jury gives its hearty and unqualified indorsement to this law, and we feel that it would be a mistake to in any way modify the present law, and if there is any change made, it should be in the direction of strengthening it.”

R. C. Norman, Solicitor-General of Toombs Circuit, writing on the 30th inst., says:

“I have no definite statistics, but the effect of the prohibition law has been very fine. I would say that violations of the prohibition law have fallen off 75% and other crimes that grow out of the use of whiskey 50%.”

Fondren Mitchell, Solicitor-General of the Southern Circuit, called in person to say that he assumed the duties of his office January 1, 1917, and is, there-

fore, not in position to make the desired comparisons.

No replies were received from the Solicitors-General of the Blue Ridge, Chattahoochee and Eastern circuits.

REPORTS FROM CITIES.

D. W. Simmons, First Commissioner of Rome, states:

The liquor cases from May 1, 1915, to May 1, 1916, amounted to. . . .1750
 From May 1, 1916, to May 1, 1917,. .1417
 Since March 28th, when the bone dry law went into operation, only 13 cases have been docketed.

Jno. C. Cook, Mayor of Columbus, writes:

From April 1, 1915, to May 1, 1916,	
Drunk on streets.	2,001
Drunk and disorderly	886
	<hr/>
	2,887
From May 1, 1916, to June 1, 1917,	
Drunk on streets.	1,243
Drunk and disorderly	568
	<hr/>
	1,811

Showing a decrease of 1,076 cases in that time.

S. T. Beaton, Mayor of Waycross, makes the following statement:

The number of cases on our docket for violation of the prohibition law for the 12 months from May 1, 1915, to May 1, 1916, were 37, as compared with 31. For the 12 months between May 1, 1916, and May 1, 1917

He adds: "Since the passage of the Bone

Dry Law, violations have been reduced to a minimum."

R. O. Arnold, Mayor of the City of Athens, says:

Drunkenness only, 1915,	46 cases
“ “ 1916	9 cases
“ “ 1917	11 cases

Dr. James R. Littleton, Mayor of Augusta, gives the following figures:

Number of cases appearing on docket of Recorder's Court in Augusta are as follows:

May 1, 1915, to May 1, 1916.	8,988
May 1, 1916, to May 1, 1917	5,396

Decrease during period.	3,592
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This decrease says Dr. Littleton, expressing an individual opinion only, has been brought about by the enactment of the Bone Dry liquor law.

The Acting Chief of Police of the City also states that the non-sale of liquor in the city has greatly reduced the number of crimes against the laws of the city and State.

J. W. Hammond, Mayor of Griffin, writes:

"We can not give you the exact figures on the number of whiskey cases," yet he adds, "the total number of cases tried in the Recorder's Court from,

May 1, 1915, to May 1, 1916	1,010
May 1, 1916, to May 1, 1917	883
May, 1917	37"

He adds: "Since the Bone Dry Law went into effect the cases of drunk and disorderly are almost extinct."

Hon. Bridges Smith, Mayor of Macon, says:

The Recorder's docket in Macon shows that from May, 1915, to May, 1916, there

were 1,205 cases of drunk and 4,494 other cases. From May 1916, to May 1917, there were 683 drunks and 3,931 other cases.

He adds: "The conditions since the Bone Dry Law went into effect are most favorable under the circumstances."

W J Pierpont, Mayor of Savannah, makes a statement on May 6, 1917, showing a large decrease in crime in Savannah during the first year of prohibition. There were 3,488 fewer arrests during that year than during the previous year. He adds: "There was less crime of every description, a decrease of from 20 to 80 per cent. being shown by the figures."

Mayor Pierpont is the only head of a city in the State who thinks that the Bone Dry Law has been a disadvantage rather than a benefit to the city.

No report was received from Atlanta.

SPECIAL SESSIONS.

Two special sessions of the Legislature were necessary to secure the enactment of these laws. The majority of the Legislature found that under their own rules it was impossible to enact the statutes in the face of a strong and intelligent minority. At called sessions the subject of legislation is determined by the Governor beforehand, and inasmuch as there is no limitation on the time of the session, there is little opportunity to defeat a measure which the majority desires to pass. At these called sessions the filibuster does not thrive as a method of obstruction.

It is certain from the communications referred

to and from others of the same import, from numerous sections of the State, that these laws have reduced crime very materially throughout the entire bounds of the commonwealth. Judges and Solicitors ought to know best about these matters. Reports from the great cities and from individuals but confirm the statements made concerning the marked reduction in crime.

It may be a sacrifice on the part of a large number of our people to give up entirely the use of intoxicating liquors, but in time of peace as well as in time of war sacrifices are demanded. And those who are strong should be willing to forego the pleasures of drinking to insure sobriety on the part of those who are weaker in the land. Especially is this true if by so doing the cost of courts, the fees of sheriffs and jailers and the other great expenses consequent upon the commission of crime are decreased almost fifty per cent. We do not take into consideration in this matter the weakness of our neighbors. In this Government every man is his brother's keeper, and in order to secure the happiness of the greatest number, the minority ought to be willing to contribute to the common good even at a small expense to themselves.

It is a delightful consideration for a Governor at the end of his term to be assured by those who know most about it, that the work which he has done for his country has contributed to its moral uplift, to the betterment of its people, and its progress to a nobler civilization. If, as he is assured, he has decreased crime within its boundaries to almost one-half of what it was before he came into office, he has

truly insured the happiness of millions in the future—and as for him, if it is true, he has done better than to have triumphed over a hundred opponents or gained the highest office which a grateful people could ever bestow.

WHAT THE ADMINISTRATION HAS ACCOMPLISHED.

I came into the office of Governor while war was raging throughout the European countries. I leave it when that war has extended itself to our own shores and our own people are engaged in making preparation for the greatest struggle that has ever been known in the annals of ancient or modern times. Every man in Georgia will feel himself called in some sense to the service of the country during the prevalence of this terrific contest. Those of us who must remain at home can encourage those who are called to the colors. Our sons and our brothers will risk their lives in the cause of our great nation, and it is asking but little of us that we should contribute of our substance to help them—to give them comforts—in the terrible ordeals through which they must pass. Our women are organizing to stand by them, and when the trenches shall yield up the wounded and dying, their tender fingers will wipe the death damps from the foreheads and compose the limbs tenderly for the last rites, or in hospitals they will bend over the beds of suffering and agony and relieve and help and bless with their sacred presence the wounded and dying of our heroic armies abroad. God bless the women! I hope our men will not fall too far behind them.

CONCLUSION.

It may not be amiss on my part in these closing hours to state to you what I think are the three greatest achievements of the administration that began two years ago. You will pardon me, especially those of you who were with me in all the work.

1. PROHIBITION: I think the people of Georgia are destined to feel most the Acts that were passed to prevent intemperance and to prohibit the use and sale of intoxicating liquors. These Acts are new to our people now, but if their beneficial effects continue they will become more popular as the years go by and I think will be more and more appreciated by those who enjoy the benefits of their enforcement. The punishment of crime will grow easier as the State lifts its head higher in the ways of virtue and civilization.

2. SCHOOL WARRANTS: The next measure was the legislation which provided for the monthly payment of the teachers of the State engaged in our common schools. It had become almost a scandal to the State that the teachers could not get their pay as it accrued. The extremities to which they were driven, the hawking about of their little scrip, their inability to pay even their board or to buy their clothes, all these things constituted a fearful handicap on the administration of our public school affairs and threatened in time to destroy in large measure the effectiveness of the whole system. The school warrants have furnished a remedy for all this, and the Treasury will be advantaged greatly in the future by the fact that this provision has been made.

3. STATE ROAD LEASE: The third great achievement of the administration was the lease of the State Road. It was earnestly urged upon the Legislature in the first message presented at the time of the inauguration, but the final legislation was enacted at the called session of November, 1915. The road has been well leased as I have stated to you and is now out of the region of politics, and its increased rental will continue to aid us in the education of the children and in lessening the burdens of taxation upon the people of the State for fifty years of the future.

Of course there are a great many other things which were enacted and became laws during the course of the administration, but I select these three as constituting the principal achievements upon which the administration will depend for the good will of coming generations.

And now I do not bid you farewell, for I expect to see you again, but I bid you one and all God speed in the great work which you are called upon to do for our beloved State in this most serious crisis of her affairs. I pray for you the guidance of the Great Ruler of the Universe in all your deliberations.

Respectfully submitted,

A handwritten signature in cursive script, reading "N. E. Harris". The signature is written in dark ink and is positioned below the text "Respectfully submitted,".

Governor.

MESSAGE

STATE OF GEORGIA,
EXECUTIVE DEPARTMENT.

June 30, 1917

To the General Assembly of Georgia:

I hand you herewith a report, required by the Constitution, showing all pardons, commutations, paroles and reprieves granted by me since the session of the Legislature last summer.

Many applications have been denied; but, in every case where clemency has been exercised—except in those cases where pardons resulted from paroles granted by former administrations—the examinations have been thorough and, I think, complete, and the result represents the views of the Executive reached with full consideration of the oath of office and the duty to the criminal justice of the land. In every case acted upon, where the applicant was turned loose, with the exception of two cases, the recommendation of the Prison Commission has been followed. This statement, however, does not apply to certain of the reprieves granted to allow further investigation or preparation in behalf of the petition for clemency, and does not include the action of the Executive on petitions for restoration of citizenship.

Respectfully submitted,

A large, stylized handwritten signature in black ink, reading "N. E. Harris". The signature is written in a cursive, flowing style with prominent loops and flourishes.

Governor.

PAROLE ORDERS.

W R. MORRIS : Spring Term, 1914, Superior Court Jeff Davis County; seduction; 10 years. Paroled June 30, 1916. Newly discovered facts showed doubt as to guilt of applicant. Representative, County officers, and a large number of citizens recommended clemency. The trial judge stated that the evidence was not satisfactory.

EULA BYRD: October Term, 1911, Superior Court Worth County; manslaughter; 7 years. Paroled July 1st, 1916. Crime committed under extenuating circumstances. The trial judge, attorney who assisted in the prosecution, the grand jury, representative and senator recommended clemency.

DEXTER KAIGLER: November Term, 1911, Superior Court Decatur County; manslaughter; 8 years. Paroled July 1, 1916. Jury at trial recommended that applicant be punished as for a misdemeanor. The trial judge, the representative from Grady County, and a large number of citizens recommended clemency. Had served more than misdemeanor sentence.

WILLIE BARRETT : May Term, 1912, Superior Court Clarke County; assault with intent to murder; 5 years. Paroled July 6, 1916. Applicant was only 18 years of age when crime was committed. Party assaulted was partly to blame for the occurrence. The trial judge recommended. Applicant was in ill health.

E. C. HACKNEY: Spring Term, 1915, Superior Court Fulton County; larceny; 3 years. Paroled July 7, 1916. Crime committed under extenuating circumstances. The trial judge, solicitor-general, prison officials and others recommended clemency.

MINNIE HUDSON: Spring Term, 1915, Superior Court Fulton County; manslaughter; 5 years. Paroled July 11, 1916. Newly discovered evidence tends to show applicant shot in self-defense. The trial judge, solicitor-general, and prison authorities recommended clemency.

J. COLLIER SIMPSON: Spring Term, 1914, Superior Court Fulton County; forgery; 3 years. Paroled August 2, 1916. Applicant pleaded guilty. The trial judge, solicitor-general, and a number of other county officials recommended clemency. Applicant assisted authorities during fire at Fulton County camp. Has good record. County wardens, together with camp physician, recommended clemency.

SAM CAMPFIELD: November Term, 1901, Superior Court Screven County; murder; life imprisonment. Paroled August 4, 1916. Newly discovered facts tended to show justifiable homicide. Should not have been convicted of more than manslaughter. The trial judge, solicitor-general, nine members of the trial jury, and the present State senator from the 17th District, as well as a number of citizens, recommended clemency.

NOL BRANNON: April Term, 1913, Superior Court Telfair County; manslaughter; 8 years. Paroled September 4, 1916. Evidence showed that the deceased was the aggressor. The trial jury, county officials, and about 500 citizens of Telfair County recommended clemency. Applicant's record was exemplary.

BOOT KENDRICK: April Term, 1915, Superior Court Pike County; manslaughter; 5 years. Paroled September 13, 1916. Crime committed under extenuating circumstances. The trial judge, county

officers, and many citizens recommended clemency. At time of passing sentence judge stated he would ask parole after year or two service.

HENRY BROOKS: March Term, 1901, Superior Court Chatham County; murder; life imprisonment. Paroled October 2, 1916. Eight of the trial jurors, forty-one members of the Savannah bar, and a large number of representative citizens recommended clemency. Applicant's prison record was extra good.

LUCIUS LUNSFORD: Spring Term, 1915, Superior Court Oglethorpe County; larceny; 3 years. Paroled October 6, 1916. The solicitor-general, trial judge and prosecutor recommended clemency.

MATH ROBESON: April Term, 1914, Superior Court Telfair County; assault with intent to murder; 3 years. Paroled October 26, 1916. The trial judge, solicitor-general and county officers recommended clemency. Applicant's prison record extra good.

JIM HARRISON: January Term, 1913, Superior Court Richmond County; manslaughter; 7 years. Paroled November 24, 1916. The trial judge, solicitor-general, and seven members of the trial jury recommended clemency. Applicant had served more than half of his sentence.

NED SLEDGE: November Term, 1893, Superior Court Troup County; murder; life imprisonment. Paroled October 30, 1916. Applicant was convicted under very doubtful evidence, and has served 23 years. His conduct during this time has been exemplary. A number of citizens who knew the circumstances under which applicant was convicted, as well as a number of the county officers, recommended clemency.

J. P MITCHELL: Fall Term, 1914, Superior Court Camden County; burglary; 5 years. Paroled October 31, 1916. The prison physician certifies that applicant is in a critical condition, suffering with an aggravated case of tuberculosis. The trial judge and solicitor-general recommended clemency.

ANTHONY BLOCKER: October Term, 1912, Superior Court Early County; manslaughter; 14 years. Paroled November 4, 1916. Another man had violated the sanctity of applicant's home and applicant killed his wife when he shot at said party. That man now makes an affidavit that part of his testimony on the trial of the case was false, and had the jury had this affidavit, it is almost certain their verdict would have been different.

MARION BARRETT: Fall Term, 1914, Superior Court Floyd County; manslaughter; 4 years. Paroled November 6, 1916. Applicant has served over half of his sentence. The case was not an aggravated one. The judge, solicitor-general, trial jury and many prominent citizens recommended clemency.

MANN DAWSON: October Term, 1915; Superior Court Taylor County; larceny; 3 years. Paroled November 24, 1916. Trial jury recommended punishment for a misdemeanor. Applicant has served over the maximum sentence for a misdemeanor.

SAM DUMAS: October Term, 1914, Superior Court Jones County; manslaughter; 10 years. Paroled November 24, 1916. The trial judge stated that the evidence was conflicting and recommended clemency. The solicitor-general and county officers join in the recommendation.

HOMER MOTT: November Term, 1910, Superior Court Muscogee County; murder; life. Paroled November 24, 1916. Applicant was only 18 years of

age at the time of the commission of the crime. Subsequent developments show that the main witnesses for the State were entirely unworthy of belief. The attorney who prosecuted the case recommended clemency.

WILL MCGUIRE: October Term, 1901, Superior Court Bulloch County; murder; life. Paroled November 24, 1916. The evidence of all but one witness for the State makes out a case of either justifiable homicide or manslaughter. This witness was of bad character. The county officers, representative and many of the best citizens of Ware County recommended clemency.

MANN WYNN: August Term, 1914, Superior Court Butts County; manslaughter; 15 years. Paroled November 25, 1916. Newly discovered facts; evidence was conflicting. Trial jurors, county officers, and prison officials recommended clemency.

JORDAN NEELY: Spring Term, 1906, Superior Court Fulton County; murder; life. Paroled December 23rd, 1916. It appeared applicant was protecting the sanctity of his home and accidentally killed his wife.

FRANK IVERSON: June Term, 1899, Superior Court Fulton County; murder; life. Paroled December 23, 1916. Applicant very old and a charge upon the State. A number of citizens and several of the trial jurors recommended clemency. Crime was not an aggravated one.

ANDREW SHINHOLSER: October Term, 1915, Superior Court Wilkinson County; burglary; 5 years. Paroled December 23rd, 1916. The trial judge, solicitor-general, and prosecutrix recommended clemency.

W. H. KENNEMUR: October Term, 1913, Superior

Court Gilmer County; manslaughter; 15 years. Paroled December 14, 1916. Crime committed under extreme provocation. Judge, solicitor and jurors recommended clemency.

BUTLER ADAMS: November Term, 1915, Superior Court Terrell County; shooting at another; 3 years. Paroled December 14, 1916. At trial the jury recommended punishment as for a misdemeanor. Jurors and solicitor recommended clemency.

JACK REYNOLDS: May Term, 1915, Superior Court Fulton County; burglary; 2 years. Paroled December 23, 1916. Applicant was only 18 years of age at the time of the commission of the crime; had served his sentence, except about five months; has a widowed mother dependent upon him for support.

FRANK GRIFFIN: March Term, 1900, Superior Court Putnam County; manslaughter; 10 years. Paroled January 4, 1917. It appeared from newly discovered evidence that his brother did the actual killing. Solicitor-general recommended clemency.

P. A. COONER: October Term, 1914, Superior Court Charlton County; manslaughter; 10 years. Paroled January 25, 1917. The trial judge, solicitor-general, trial jury, grand jury, and a large number of citizens recommended clemency.

JIM WILLIAMS: November Term, 1912, Superior Court Bibb County; burglary; 20 years. Paroled January 26, 1917. Applicant committed crime under mitigating circumstances. The trial judge, sheriff, county physician, and a large number of citizens recommended clemency.

C. L. SMITH: November Term, 1913, Superior Court Fulton County; bigamy; 4 years. Paroled January 26, 1917. Crime was committed under miti-

gating circumstances. The trial judge, members of the trial jury, and the prison officials recommended clemency.

KIBBEE BROWN: August Term, 1914, Superior Court Pulaski County; manslaughter; 15 years. Paroled January 27, 1917 The judge, solicitor and trial jury recommended clemency. Newly discovered evidence made out complete defense.

JOHN BURKE: Spring Term, 1902, Superior Court Chatham County; murder; life. Paroled January 27, 1917 Applicant was permanently and badly injured while serving the State. Solicitor recommended clemency

LOVE KIMBROUGH: November Term, 1908, Superior Court Terrell County; manslaughter; 20 years. Paroled February 15, 1917 Crime committed under mitigating circumstances. The solicitor, trial jury, county officers, and a number of citizens recommended clemency.

CHARLEY FARLEY: July Term, 1913, Superior Court Tift County; manslaughter; 8 years. Paroled March 2, 1917 Newly discovered evidence shows applicant shot deceased after deceased had knocked him down. Crime committed under mitigating circumstances.

SID MERRELL: August Term, 1915, Superior Court Troup County; attempt to murder; 5 years. Paroled March 29, 1917 Newly discovered evidence shows that there was serious doubt as to applicant's guilt. The trial judge and the party assaulted recommended clemency

SPEER CHANDLER: Fall Term, 1914, Superior Court Madison County; attempt to murder; 6 years. Paroled April 2, 1917 The grand jury, trial judge, so-

licitor, and a large number of citizens recommended clemency. Applicant was addicted to drug habit at time of crime and had been cured while in prison.

WILL JACKSON: September Term, 1910, Superior Court Fulton County; robbery; 15 years. Paroled April 3, 1917 Applicant was a mere boy at the time of the commission of the crime, and it appears that he did not actually commit the crime but watched while another did so.

ROBERT WOOD: January Term, 1901, Superior Court Lowndes County; murder; life. Paroled April 28, 1917 It appears that applicant committed the crime under serious provocation. Applicant has on various occasions assisted in recapturing escaped convicts, and upon one occasion at the risk of his own life saved a prominent man and his wife of Floyd County from drowning. The trial judge recommended clemency.

EMANUEL ROSERORO: October Term, 1906, Superior Court Miller County; murder; life. Paroled April 25, 1917 It appears that applicant acted under serious provocation. The mother of deceased stated she felt applicant was justifiable in killing deceased and recommended clemency. The solicitor, former senator from Miller county, trial jury, and the grand jurors recommended clemency.

FRED THRASHER: January Term, 1915, Superior Court Oconee County; manslaughter; 10 years. Paroled April 28, 1917 Applicant was convicted upon circumstantial evidence and there appears serious doubt as to his guilt. The trial judge, solicitor, trial jury, county officers, and a number of citizens recommended clemency.

CLAUD SEALS: March Term, 1911, Superior Court Fulton County; robbery; 20 years. Paroled May 7,

1917 The Governor of Arkansas, solicitor, and a number of citizens recommended clemency. It appeared that applicant had tried to reform and has resolved to lead an upright life.

WILLIAM BURCH: October Term, 1914, Superior Court Clarke County; manslaughter; 10 years. Paroled May 16, 1917 Deceased, who was a brother of applicant, made dying statement to the effect that he was to blame and asked that his brother not be prosecuted. Trial judge, trial jury, solicitor, and a large number of citizens recommended clemency.

WILL SUGG: August adjourned Term, 1914, Superior Court Butts County; assault to murder and carrying concealed weapon; 3 years. Paroled May 24, 1917 Applicant was only about 19 years of age, was of good character; had serious provocation and the shooting was almost justifiable. Newly discovered facts showed that deceased was a bad character.

CLEVELAND CURRINGTON: March Term, 1915, Superior Court Talbot County; seduction; 5 years. Paroled May 26, 1917 No verdict was entered upon the minutes of the trial court. The solicitor, eleven of the trial jurors, and a large number of citizens recommended clemency.

SCOTT DEMORY: January Term, 1915, Superior Court Hall County; hog stealing; 4 years. Paroled May 28, 1917 Applicant was a half-witted negro and was not the instigator in the commission of the crime. The trial judge, solicitor, prosecutor, and others recommended clemency.

JAMES HENSON: September Term, 1914, Superior Court Fulton County; manslaughter; 10 years. Paroled May 29, 1917 Newly discovered evidence showed that applicant had serious provocation at the time of the homicide. Applicant has assisted in

recapturing escaped convicts and the prevention of escapes. The trial judge, solicitor, trial jury, and a number of responsible citizens recommended clemency.

HARDY MOSS: Spring Term, 1906, Superior Court Pulaski County; murder; life. Paroled May 29, 1917. It appears from newly discovered evidence that applicant shot in self-defense and was in no way responsible for the beginning of the difficulty. The trial jury, solicitor and county officers recommended clemency.

BENNY SMITH: April Term, 1915, Superior Court Clarke County; robbery; 7 years. Paroled June 4, 1917. Trial jury recommended punishment as for a misdemeanor, and the trial judge disregarded such recommendation. The trial jury and the trial judge now recommend clemency.

JOHN BAGLEY: September Term, 1915, Superior Court Fulton County; larceny; 3 years. Paroled June 7, 1917. It appears that all of the stolen property was returned and applicant is only 18 years of age. The trial judge, solicitor and prosecutor recommended clemency.

WILL HAYES: March Term, 1914, Superior Court Chattooga County; seduction; 4 years. Paroled June 14, 1917. There was extreme doubt as to the guilt of applicant, the first trial resulting in a mistrial. The last jury recommended mercy. The alleged victim has since married and newly discovered evidence shows conclusively that applicant was not guilty of the crime. The trial judge and a number of the trial jurors recommended clemency.

ELLIS WASHINGTON: November Term, 1914, Superior Court Decatur County; voluntary manslaughter; 8 years. Paroled June 18, 1917. Newly dis-

covered evidence shows conclusively that applicant did not shoot the deceased until after deceased had fired at applicant. The trial judge and a large number of citizens recommended clemency.

CORNELIUS LOWE: November Term, 1905; Superior Court Bibb County; murder; life. Paroled June 18, 1917 It appears that applicant did not do the actual killing and the principal has been pardoned. The trial judge, county officers, a number of jurors, and a large number of citizens now urge clemency.

JIM STRANGE: October Term, 1910, Superior Court Hart County; manslaughter; 15 years. Paroled June 19, 1917 Newly discovered evidence shows that this was a case of self-defense. The trial judge, solicitor, and a number of citizens recommended clemency.

JESSE GORMAN: September Term, 1913, Superior Court Talbot County; assault with intent to murder; 5 years. Paroled June 19, 1917 Party who was shot, solicitor, and all 12 jurors recommended clemency.

WILLIE MAY THOMPSON: May Term, 1911, Superior Court Pierce County; manslaughter; 10 years. Paroled June 25, 1917 Crime was committed under mitigating circumstances. New facts showed that applicant was of good character prior to the commission of the crime. Has served nearly six years. The trial judge, trial jurors, solicitor and others recommended clemency.

J. H. CASON: August Term, 1913, Superior Court Colquitt County; embezzlement; 5 years. Paroled June 21, 1917 Applicant gave up all his property to make good the shortage and none of the depositors lost any money Applicant spent a year in

jail and has served four years. The trial judge, solicitor, and the principal witness for the State recommended clemency.

CHARLES ARNOLD: January Term, 1915, Superior Court Walker County; seduction; 10 years. Paroled June 21, 1917. Newly discovered evidence showed serious doubt as to applicant's guilt. One of the prosecuting attorneys, the trial judge, the trial jurors, the last two grand juries of the county, and a large number of citizens recommended clemency.

WILL BURTON: February Term, 1914, Superior Court Clayton County; manslaughter; 7 years. Paroled June 21, 1917. Evidence upon the trial was very conflicting. Affidavits furnished as to the bad character of the State's witnesses. The trial jurors stated they believe applicant was innocent and newly discovered evidence tends to show this. The grand jurors, solicitor, county officers, and a number of citizens recommended clemency.

EPHRIAM KINARD: September Term, 1914, Superior Court Richmond County; assault to murder; 5 years. Applicant had served over half of his sentence. The trial judge, solicitor, and a number of citizens recommended clemency.

WILEY LEONARD: August Term, 1904, Superior Court Meriwether County; murder; life. Paroled June 23, 1917. Newly discovered evidence; only witness for the State now says applicant was not guilty. The trial judge, solicitor, and others recommended clemency.

TOM BOWDEN: August Term, 1915, Superior Court Muscogee County; burglary; 5 years. Paroled June 23, 1917. The store house that was burglarized belonged to the applicant's brother, who now recommends clemency. The solicitor and trial judge recommended.

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CALVIN OLIVER: March Term, 1916, Superior Court Quitman County; manslaughter; 20 years. Paroled June 23, 1917. Newly discovered facts showed that deceased made a statement before he died that he was to blame and did not want the defendant punished. Applicant was of good character, and his prison record has been extraordinary good. The representative and many citizens recommended clemency.

JOHN HOWARD: January Term, 1916, Superior Court Laurens County; burglary; 3 years. Paroled June 29, 1917. Two parties jointly indicted with applicant pleaded guilty and were only sentenced to one year. The trial jury, solicitor and trial judge recommended clemency.

WEST BELL: December Term, 1914, Superior Court Calhoun County; murder; life. Paroled June 25, 1917. Applicant tried to part two other negroes fighting and became engaged in the encounter. There was conflicting testimony. Applicant had served 2 years. Statements now made by the witnesses make this a case of justifiable homicide. The trial jurors and a large number of citizens recommended clemency.

ROBT. WILLINGHAM: Spring Term, 1915, Superior Court, Oglethorpe County, Larceny. Paroled October 26, 1916. Prosecutor, solicitor and others recommended. It appeared applicant was not instigator of crime.

WILL LEE: Fall Term, 1907, Superior Court Clayton County; manslaughter; 20 years. Paroled June 26th, 1917. It appeared that applicant on numerous occasions has aided in the recapture of escaped convicts. His conduct has been far above the average. The trial judge, solicitor, county officers and others recommended clemency.

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HENRY FEWS: November Term, 1906, Superior Court, Bibb County; attempt to murder; 10 and 10 years. Paroled June 25, 1917 Crime was committed under mitigating circumstances. The two parties assaulted, the trial judge, and others recommended clemency

SEAB HIGDON April Term, 1915, Superior Court Laurens County; attempt to murder; 5 years. Paroled June 26, 1917 Newly discovered evidence showed applicant was justified. Trial judge, solicitor and county officers recommended clemency

CHARLIE FAISON: Spring Term, 1916, Superior Court Colquitt County; perjury; 4 years. Paroled June 26, 1917 Newly discovered evidence showed applicant innocent. The judge, solicitor and a large number of citizens recommended clemency.

HEADRICK SMITH: August Term, 1915, Superior Court Walker County; burglary; 2 years. Paroled June 26, 1917 All the stolen goods were returned. Applicant has tuberculosis and it is dangerous for him to be associated with the other prisoners. Trial judge, county officers and others recommended clemency.

JAMES SEWELL: January Term, 1915, Superior Court Fulton County; manslaughter; 7 years. Paroled June 26th, 1917 Applicant's prison record has been exemplary, and he has tuberculosis. Trial judge and solicitor recommended clemency.

FRED BROWN: February Term, 1915, Superior Court Coffee County; manslaughter; 5 years. Paroled June 26th, 1917 Applicant pleaded guilty in an effort to save his father. He was only 16 years old and was of good character prior to his incarceration. Representative and others recommended clemency.

WELDEN MOTEN: May Term, 1916, Superior Court Sumter County; voluntary manslaughter; 6 years. Paroled June 27, 1917 Newly discovered evidence showed serious doubt as to applicant's guilt. Solicitor, trial judge, and others recommended clemency.

HENRY KING: October Term, 1901, Superior Court Rockdale County; burglary; 20 years. Paroled June 27, 1917 Applicant was convicted upon circumstantial evidence, and later discovered facts show extreme doubt as to his guilt. The trial judge and county officers recommended clemency. Applicant's conduct has been very good.

VASSAR WALKER: September Term, 1912, Superior Court Grady County; manslaughter; 5 years. Paroled June 27, 1917 Newly discovered facts showed that applicant was to a great extent justified. Trial judge, solicitor, county officers, and a large number of citizens recommended clemency.

ROBT. LEE WALKER: April Term, 1915, Superior Court Worth County; embezzlement; 2 years. Paroled June 27, 1917 Trial jury recommended misdemeanor punishment, and applicant has served more than maximum sentence for misdemeanor. Trial jurors, trial judge, county commissioners and others recommended clemency.

BOYCE HOLLIS: October Term, 1914, Superior Court Marion County; manslaughter; 3 years. Paroled June 28, 1917 Applicant's character before the commission of the crime was far above the average, and his conduct has been extraordinarily good. An ex-judge of the circuit, the solicitor, representative, county officers and a large number of citizens recommended clemency.

JANIE JOHNSON: January Term, 1916, Richmond Superior Court; attempt to murder; 3 years. Pa-

roled June 29, 1917 Crime committed under mitigating circumstances. The party assaulted and the trial judge recommended clemency.

SAM MOORE: February Term, 1912, Fulton Superior Court; burglary; 12 years. Paroled June 29, 1917 No loss was sustained through the commission of the crime, and the party from whom the goods were taken recommended clemency. Applicant's character was good and his prison record has been exemplary.

MARSHALL PALMER: March Term, 1911, Cobb Superior Court; burglary; 10 years. Paroled June 29, 1917 Trial jury recommended misdemeanor punishment and trial judge disregarded same. Applicant has served 6 years. Trial judge, solicitor and prosecutor recommended clemency.

BILL MORRELL: April Term, 1909, Burke Superior Court; manslaughter; 20 years. Paroled June 29, 1917 Newly discovered evidence showed applicant was not guilty. Applicant's character was good. Trial judge, solicitor and a large number of citizens recommended clemency.

DAVID CLARK: September Term, 1901, Morgan Superior Court; murder; life. Paroled June 29, 1917 Deceased was a bad character and had repeatedly threatened applicant's life. Extreme doubt as to applicant's guilt; newly discovered facts. Applicant's character was far above the average, and he has repeatedly aided in the recapture of escaped convicts.

HATTIE E. ROBINS: December Term, 1911, Ware Superior Court; manslaughter; 20 years. Paroled June 29, 1917 Deceased had invaded the sanctity of applicant's home, and the killing was under great provocation. Trial judge, present judge, trial jury,

grand jury, and a large number of citizens recommended clemency.

WILL HANDY: November Term, 1898, Superior Court Ware County; murder; life. Paroled June 30, 1917. Newly discovered facts showed serious doubt as to applicant's guilt. Solicitor, trial jurors and others recommended clemency.

VAN GOOLSBY: September Term, 1914, Superior Court Coffee County; manslaughter; 12 years. Paroled June 30, 1917. Crime was committed under grave provocation. Daughter of deceased made affidavit tending to show innocence of applicant.

OLLIS WIMBISH: Sumter Superior Court; murder; life. Paroled June 30, 1917. Mother of deceased stated deceased was to blame and she recommended clemency. Newly discovered evidence. Trial judge and a large number of citizens recommended clemency.

RILEY MILLICAN: September Term, 1909, Superior Court Appling County; manslaughter; 10 years. Newly discovered evidence showed deceased provoked the killing. Applicant has aided in recapture of escaped convicts.

COMMUTATIONS.

JUDGE HARRISON: Cherokee Superior Court, February Term, 1913; murder; life imprisonment. Commuted June 29, 1916. Applicant served 3 years. Judge, solicitor-general, 12 jurors, majority of grand jury and others recommended. Main witness of State upon trial of this case made affidavit that his evidence upon the trial was error.

JOHN MINYARD: Americus City Court; June Term, 1915; selling whiskey; 10 months. Commuted to

fine of \$300 July 5, 1916. Trial judge and number of citizens recommended.

EMANUEL STEPHENS: Berrien Superior Court, August Term, 1915; misdemeanor; 12 months and 12 months or fine of \$100. Commuted July 6, 1916, to fine of \$100 in each case. Judge, court officials, prosecutor and citizens of Berrien County recommended.

SAM BROWN: Randolph Superior Court, November Term, 1915; simple larceny; 12 months. Commuted to fine of \$50 July 6, 1916. It appeared applicant was not the principal. Principal has since been convicted, and made affidavit that Sam Brown had no knowledge of the theft. 17 grand jurors and 11 jurors recommended absolute pardon. Practically every citizen in community where applicant lived expressed belief in his innocence.

IZOLA WILLIAMS: Atlanta City Court, Fall Term, 1915; misdemeanor; 12 months. Commuted to present service July 6, 1916. Applicant served 7 months; was in last stages of tuberculosis, the county warden having called in person to state that her presence was a menace to the life and health of other prisoners.

J. H. INGRAM: Cedartown City Court, January Term, 1916; selling liquor; 12 months. Commuted to fine of \$50 July 8, 1916. Applicant served about 5 months; 65 years of age and in feeble health. Judge and solicitor recommended.

ARCH MATHEWS: Polk Superior Court, Spring Term, 1911; murder; life imprisonment. Commuted to term of six years July 8, 1916. Newly discovered evidence makes out a clear case of manslaughter and not murder. Trial jury state under oath that the verdict would have been for manslaughter had

the newly discovered evidence been produced at the trial, and the trial judge says that he would have probably sentenced applicant to only from five to eight years had the verdict been for manslaughter. Large number of citizens and lawyers, in addition to trial judge and trial jury, recommended clemency.

R. H. HOWELL: Columbus City Court, October Term, 1915; rioting; 12 and 6 months and fine of \$1,000. Commuted to fine of \$100 July 8, 1916. 2 other defendants in the same riot were at the next term of court sentenced to pay fine of \$100. Sheriff, police officers, representative from Muscogee County, and others recommended. Applicant was an old man, and aside from this, there seemed to be no reason why he should not be relieved of balance of his sentence upon payment of a like fine with others jointly convicted with him.

TOBE SUTTON: Henry Superior Court, October Term, 1915; simple larceny; 12 months. Commuted to present service July 11, 1916. Under statements and communication of trial judge, and in view of service already rendered, ends of justice seemed to require commutation to present service.

W F FELLMAN: Coweta Superior Court, September Term, 1915; misdemeanor; 14 months. Applicant served 8 months. Physician certified that he was unable to do road work. Feltman was means of securing indictments against others for same offense. Commuted July 3, 1916.

TOM KING: Gwinnett Superior Court; Fall Term, 1915; selling liquor; 12 months. Commuted to present service July 20, 1916. Applicant served about 7 months. Trial judge recommended unconditional pardon. Family in need. Large number of citizens recommended.

S. J. DUNN: Cobb Superior Court, November Term, 1915; selling liquor; 12 months and 6 months and \$1,000. Commuted July 28, 1916. Applicant served 8 months. Trial judge, solicitor-general and other citizens recommended.

THOMAS EDGAR STRIPLING: Harris Superior Court, October Term, 1897; murder; life imprisonment. Commuted July 29, 1916. Many new developments and newly discovered facts were brought to the Governor's attention. The homicide was result of insults to applicant's wife and sister, and of threats of personal violence made by deceased. It appeared the trial judge informed the jury that unless they returned a verdict by 12:00 o'clock that night (that being Saturday) he would confine them until he returned from another county where he had to hold court the following week. All surviving members of the trial jury, 102 out of 189 members of the State Legislature, and 36 out of 44 State senators, as well as a large number of people, said to be three-fourths of the people of Harris County, recommended. Also, according to prison physician who had applicant in charge, he was unable to do any work, and was a burden upon the State for several years; and was practically a nervous, physical and mental wreck. Prison commission, by majority vote, declined to recommend clemency in this case. The chairman recommended, and 3 members of the former commission made unanimous recommendation.

O. D. GILBERT: Chattooga Superior Court, Spring Term, 1915; attempt to murder; 4 years and 9 months. Commuted August 3, 1916. Applicant Served more than a year. Commutation recommended by prosecutor, judge and solicitor-general.

ROBERT RICE: Dodge Superior Court, Spring Term, 1916; misdemeanor; 6 months. Commuted August 10, 1916. Applicant served nearly four

months; certified copy of proceedings in court of Ordinary adjudging applicant to be insane were submitted with the record. Sentence was commuted to allow applicant to be sent to asylum.

J. E. VAUGHN, JR.: Fulton Superior Court, Fall Term, 1915; larceny after trust; 3 years. Commuted August 15, 1916. Applicant in poor state of health. Commutation recommended by 15 of the grand jurors who indicted him, judge who imposed sentence, and the then solicitor-general, large number of citizens of the county, two members of the House of Congress from Georgia, 42 members of the General Assembly of Georgia, including the speaker of the house, and one of the members from Fulton County. Applicant served practically a misdemeanor sentence.

SON PRITCHETT: DeKalb Superior Court, Fall Term, 1915; larceny; 12 months and 6 months. Commuted to fine of \$50 September 15, 1916. Applicant served nearly 10 months. Commutation recommended by trial judge and solicitor-general.

LOVE FLORENCE: Fulton Superior Court, August Term, 1914; escaping; 12 months or \$75. Commuted September 28, 1916, on account of length of service, and recommendation of the judge and solicitor.

JACK POLLARD: Coweta Superior Court, September Term, 1910; murder; life imprisonment. Commuted September 29, 1916. Served 6 years. Record shows deceased was a man of desperate character and a terror to the community. Also, newly discovered evidence showed highly aggravating circumstances. It was conceded applicant did not do actual killing. Applicant was only 22 years of age at the time of the killing, and his life had been repeatedly threatened by deceased. At instance of friends he

entered plea, but alleged did not realize the seriousness of the charge. Wife of the deceased called before the Governor and requested pardon. A large number of citizens near the vicinity of the crime joined in the recommendation.

DALLAS CAUDELL: Banks Superior Court, March Term, 1913; seduction; 10 years. Commuted September 30, 1916. Applicant agreed to provide for maintenance of wife and children until the latter arrive at age of 14 years. Commutation made on condition that he comply with terms of bond in office of Ordinary of Banks County.

AARON WILLIAMS: Glynn Superior Court, December Term, 1915; murder; hang. Large number of citizens have furnished affidavits which were not submitted to jury, to show the case was one more of manslaughter than murder, and one closely bordering upon justifiable homicide. Number of jurors recommended clemency. Solicitor-general stated he had prosecuted hundreds of cases "on all fours" with this one, and invariably the jury had recommended mercy; and that he would have recommended had he been on the jury. Representative of Glynn County recommended. Sentence commuted to life imprisonment October 3, 1916.

ED POWERS: Morgan Superior Court, March Term, 1912; Rape; 20 years. Commuted September 25, 1916. Judge, solicitor-general and all of the jurors who found verdict, recommended. Alleged victim wrote latter stating she was sorry she did the defendant like she did, but that she was put up to it. Evidence seems to indicate incestuous fornication rather than rape, and applicant served term longer than the maximum for the former offense.

ROBERT SMITH: Oconee Superior Court, Spring Term, 1913; rape; 10 years. Commuted October 17,

1916. Applicant served more than 3 years of sentence. Trial judge, solicitor-general and number of witnesses who testified in the trial of the case, and the citizens of the county recommended.

EARLY MOON: Madison Superior Court, March Term, 1916; murder; hang. Commuted to life imprisonment October 17, 1916, on account of weak mental condition. Judge, solicitor-general, trial jurors and a large number of citizens recommended.

PERCY ASHLEY: Taliaferro Superior Court, Spring Term, 1908; manslaughter; 15 years. Commuted October 26, 1916. Commutation granted as matter of course resulting from service under parole granted May 25, 1915, by former Governor.

RICH GLENN: City and Superior Courts of Greene County, June Term, 1916; misdemeanor; 9 months or \$75 and 3 months. Commuted October 26, 1916. An old negro 80 years old, and a burden to the county. Served 4 months on the 9 months sentence and paid the full fine of \$75, amount of fine imposed in the 9 months sentence.

NICK McINTOSH: Chatham Superior Court, Spring Term, 1905; wrecking train; life. Commuted October 26, 1916, as result of parole granted May 1, 1915, by former Governor.

JUDSON WOODLEY: Fulton Superior Court, Fall Term, 1911; manslaughter; 7 years. Commuted April 2, 1917, as result of parole granted March 3, 1915, by former Governor.

WILL SMITH: Gwinnett Superior Court, Spring Term, 1911; manslaughter; 10 years. Commuted October 26, 1916, as result of parole granted January 23, 1915, by former Governor.

WILL MILLS: Grady Superior Court, Fall Term,

1909; manslaughter; 12 years. Commuted October 26, 1916, as result of parole granted June 9, 1915, by former Governor.

WILL WILLIS: Muscogee Superior Court, February Term, 1916; receiving stolen goods; 12 months. Commuted October 26, 1916. Served 7 months. Judge and solicitor recommended. Was convicted on testimony of questionable character.

MANCE SIMPSON: City Court of Polk County, January Term, 1916; misdemeanor; 12 months. Commuted to fine of \$25. Applicant served 9 months. Judge, solicitor and other officers of the court and county recommended.

LULA GARRETT: Stewart Superior Court, April Term, 1916; selling liquor; 12 months or \$350. Commuted to fine of \$350 October 26, 1916. Judge recommended that her sentence be commuted to thirty days upon the payment of fine of \$350.

WILL BIGBY: Superior Court of Fulton County, January Term, 1909; murder; life imprisonment. From evidence, the case seems to be only one of manslaughter. Commuted to term of 10 years October 30, 1916.

GEO. HOLLOWAY: Superior Court of Tattnall County, October Term, 1899; arson; life. Seems that facts almost demand executive clemency, as applicant has served more than the sentence now prescribed by law for the same offense. Trial judge and large number of citizens recommended.

ARTHUR MYRICK: City Court of Lowndes County. Spring Term, 1916; making liquor; 12 months. Commuted to fine of \$25 November 6, 1916. Applicant was convicted of manufacturing intoxicating liquor. Evidence shows that what he did was to manufac-

ture and drink what is commonly known as "Buck" which is very similar to the beer resulting through fermentation of cane juice. Trial judge and solicitor of City Court recommended commutation.

ANGELO HAMILTON: Jackson Superior Court, August Term, 1914; rape; 10 years. Commuted November 24, 1916. Applicant served 1 1-2 years. From newly discovered evidence it appeared that applicant should have been convicted of fornication. He served more than the sentence for that offense.

JOHN ROGERS: City Court of Polk County, January Term, 1915; misdemeanor; \$100 or 12 months. Commuted November 24, 1916. Judge and solicitor-general both recommended. Applicant had only a few days to serve. Mother had just died, leaving several minor children who sorely needed his attention.

PANSY MARTIN: Superior Court, Crisp County, May Term, 1916; vagrancy; 8 months. Commuted November 24, 1916. Judge who imposed sentence recommended pardon.

J R. BENFORD: City Court of Dublin; cruel treatment; 12 months. Commuted to fine of \$50.00 November 24, 1916. Applicant killed a pig. Served more than six months of sentence. Large number of best citizens recommended, as well as solicitor who prosecuted.

W M. STILL: Walton Superior Court, Spring Term, 1916; selling liquor; 12 months and \$150.00. Commuted November 24, 1916. Applicant had only about two months to serve to complete entire sentence. Father and some of his children died since applicant's incarceration, leaving family in very pitiful condition. Trial judge called in person before the Governor and requested clemency.

SILAS ECHOLS: Atlanta City Court, September Term, 1916; stabbing; 6 months or \$50.00. Commuted to fine of \$30.00 December 5, 1916. Judge and solicitor recommended. Applicant served part of sentence.

WILL ROBERTSON: Laurens Superior Court, July Term, 1909; murder; life. Commuted to present service December 5, 1916. Applicant served 7 years. When trial judge overruled motion for new trial, he and solicitor-general agreed to recommend clemency for applicant after 5 years. Judge is deceased, but solicitor remembers agreement and recommends commutation. Trial jurors recommended. The circumstances of the killing would have authorized a verdict of involuntary manslaughter, had affidavits now made been available at that time.

FRANK PEPPERS: Chattooga Superior Court, March Term, 1916; misdemeanor; 12 months. Commuted December 7, 1916, upon condition that applicant observe all rules of probation and in effect serve his sentence strictly in accordance with the original order passed by trial judge.

E. M. HAMMOND: Heard Superior Court, September Term, 1916; simple larceny; 12 months or \$100. Commuted to fine of \$60.00 December 7, 1916. Judge and solicitor recommended on account of time already served by applicant, and the former states that he would not have imposed fine of \$100 had he known all the circumstances.

CECIL MADDOX: Laurens Superior Court, June Term, 1916; selling liquor; 12 months. Commuted to fine of \$250.00 December 8, 1916. Applicant served about 3 months. Judge, Jurors and many of the court officers and a great number of other citizens of the county recommended. Commuted upon condition that applicant lead a law-abiding life and

especially refrain from violation of the State prohibition laws.

JOE ROGERS: Paulding Superior Court, November Term, 1915; simple larceny; 4 years. Commuted, effective December 23, 1916. Jury convicting recommended misdemeanor punishment, and party from whom mule was stolen has agreed to give applicant the mule. Judge and solicitor-general have no objection.

J. HENRY WATLEY: Lowndes County City Court, April Term, 1916; misdemeanor; 12 months. Applicant served about 7 months. Judge and solicitor-general recommended.

FRANK WILLIAMS: Baldwin Superior Court, July Term, 1915; attempt to murder; 12 months. Commuted to fine of \$100, effective December 23, 1916. Judge and solicitor since trial of this case think that applicant ought to be allowed an alternation fine. Also, party whom applicant shot at had induced applicant's wife to leave applicant and live with him. Case was a close one, and applicant was in a measure justified in his action.

ED BENFIELD: Jenkins County Court, July Term, 1916; misdemeanor; 10 months or \$75.00. Commuted to fine of \$35.00 December 23, 1916. Applicant served four months. Had this case been tried applicant would in all probability been cleared and certainly higher courts would hardly have let the verdict stand. Applicant only procured one dollar and entered plea of violating the labor contract law.

MINNIE BIRD: Hall Superior Court, August Term, 1915; misdemeanor; 24 months. Commuted December 23, 1916. Applicant served more than a year. Judge and solicitor recommended. Applicant was sentenced to two terms for practically one and the same offense.

JESSE WHEELER: Morgan Superior Court, September Term, 1915; simple larceny; 12 months. Commuted to fine of \$75.00 December 23, 1915. Applicant served about 6 months. Judge, solicitor and prosecutor recommended.

HENRY SOMER: Screven Superior Court, September Term, 1902; murder; life imprisonment. Commuted December 23, 1916, as result of parole granted August 16, 1915, by former Governor.

GUS RAGAN: Dodge Superior Court, September Term, 1908; murder; life imprisonment. Commuted December 14, 1916. Deceased was regarded as a man of dangerous character in the community. Trial judge and solicitor-general state that verdict for voluntary manslaughter could have been returned under the evidence. Trial jury, grand jury and large number of citizens recommended.

ARCHIE G. MEEKS: Emanuel Superior Court, July Term, 1916; burglary; 12 months. Commuted December 15, 1916. It appeared that another party was the real instigator of the crime. Brothers and father of the party whose store was burglarized recommended, as did trial judge and solicitor. Applicant was blind in one eye and about to lose other, in which event he would have been unable to continue to make living for mother and self.

ELLISON MERRIWEATHER: Jones Superior Court, October Term, 1914; perjury; 6 years. Commuted January 3, 1917. Judge and solicitor-general recommended. Applicant was a negro boy who, to shield himself, gave false testimony upon commitment trial and later went before grand jury and gave true facts to that body. Trial judge stated at the time of trial that after satisfactory service of 2 years he would recommend pardon. He complied with this promise.

W B. HARRIS: Carrollton City Court, September Term, 1915; selling liquor; 6 months and \$150 or 12 months. Commuted January 3, 1917, in view of age of applicant and his bad health. Judge who imposed sentence recommended.

W H. JONES: Fulton Superior Court, June Term, 1916; selling liquor; 12 months or \$500. Commuted to fine of \$50 January 4, 1917. Trial judge recommended. Applicant's wife was about to be taken to hospital, and there was no one to take care of their several small children.

ALVA F. SHORT: Worth Superior Court, April Term, 1913; murder; life imprisonment and had been commuted to 5 years by former Governor. Commuted May 9, 1917, so as to allow for time spent in jail.

EDGAR RAFFIELD & LONNIE ROWLAND: Dublin City Court, November Term, 1916; misdemeanor; \$25 and 6 months. Commuted January 16, 1917. Applicants paid fine and spent about 60 days in jail. Judge and solicitor recommended, as did number of trial jurors, sheriff, clerk and other officers.

MILLARD BRAGG: Sumter Superior Court, May Term, 1914; robbery; 4 years. Commuted January 27, 1917. Trial judge recommended, stating that he would have sentenced applicant to shorter term had he been allowed to do so under the law. Solicitor-general was deceased. Jury recommended misdemeanor punishment.

E. B. STAPLETON: Grady Superior Court, September Term, 1915; misdemeanor; 12 months. Commuted January 27, 1917, to 6 months, with privilege of paying fine of \$750 after one month's imprisonment. Applicant was guilty of a technical violation of the banking laws. Jury on trial recommended

misdemeanor punishment, and later recommended fine. Trial judge recommended pardon, as applicant deposited \$1,000 to be paid to stockholders in that event. Jurors recommended, as did large number of citizens.

J. A. HARRIS: Crawford Superior Court, March Term, 1916; misdemeanor; six months or \$200. Commuted to fine of \$100 January 29, 1917. Trial jurors stated they would never have convicted applicant had they thought trial judge would impose such heavy sentence, and recommended commutation, as did several county officers and a large number of responsible citizens.

KIRBY WISE: Butts Superior Court, March Term, 1916; misdemeanor; 12 months. Commuted to fine of \$100 January 29, 1917. Judge, sheriff, clerk and large number of citizens recommended. Solicitor-general agreeable to commutation.

R. M. SHATTLES: Tift Superior Court, July Term, 1914; seduction; 12 months in gang and 6 months in jail. Trial judge, jurors and solicitor recommended. Alleged victim was of questionable character. Applicant served chain-gang sentence. Jail sentence commuted January 29, 1917.

ALVIN HILL: City Court of Wrightsville, June Term, 1914; cheating and swindling and selling liquor; four 12 months sentences. Commuted February 8, 1917. Applicant served 3 of above sentences, and in view of length of service and recommendation of judge, solicitor and other citizens, clemency was granted.

M. W. JOHNSON: Carrollton City Court, Fall Term, 1915; misdemeanor; 12 months. Commuted to fine of \$50 February 9, 1917. Applicant served one sentence and four months on another. Judge,

solicitor-general, county physician and others recommended. Applicant was in serious physical condition.

ROY LOCKET: Carrollton City Court, November Term, 1916; gaming; 6 months or \$50. Applicant served two months of his sentence, and commutation in no way lessened punishment of defendant, but really increased it, as he served two months in the chain-gang and then paid the full fine imposed originally. Commuted to fine of \$50 February 9, 1917

B. E. NOBLES: Dublin City Court, June Term, 1916. Selling liquor; twelve months. Commuted to fine \$100 February 9, 1917 Trial judge, solicitor, jury and others recommended. Also, applicant served about one-half of his sentence.

WES WEAVER: Upson Superior Court, May Term, 1913; rape; 10 years. Commuted February 12, 1917. Trial jurors and solicitor-general recommended; also alleged victim and her guardian both not only recommended clemency, but state facts which tend to show applicant was not really guilty.

WILLIE HULING: Wilkes Superior Court, November Term, 1916; forgery; 12 months. Commuted to fine of \$100 February 3, 1917 Judge, solicitor and prosecutor, as well as bank at which forgery was committed, all recommended, since there appeared to be doubt as to applicant's intent to commit a crime.

RICHARD GLAWSON: Bibb Superior Court, February Term, 1916; murder; hang. Commuted to life imprisonment February 15, 1917

MONK NORWOOD: Carrollton City Court, Spring Term, 1916; selling liquor; 12 months. Commuted February 16, 1917 Trial judge and number of citi-

zens recommended. Under showing made for commutation, it is extremely doubtful as to applicant's guilt, and if this information had been before the court and jury at the trial he would probably have been acquitted.

TOM BANKS AND HENRY BANKS: Baker Superior Court, September Term, 1916; simple larceny; 12 months or \$125. Commuted to payment of fine of \$75.00 each, March 6, 1917 Applicants served four and two months, respectively, and their release was recommended by Judge. Solicitor and Ordinary of county. Commutation was merely proration of fines as recommended by judge who imposed the original sentence upon them.

ROY BARRETT: Bibb Superior Court, November Term, 1916; simple larceny; 2 years. Commuted to fine of \$100 March 8, 1917 Victim of applicant's larceny requested commutation, since applicant's father paid for all loss in connection with the theft. Also, doctor certified that applicant was in bad state of health. Applicant also gave testimony which led to conviction of other guilty party.

PINK GOGGINS: Walton Superior Court, August Term, 1916; blackmail; 9 months. Commuted March 10, 1917 Applicant served more than 6 months. Judge, solicitor-general and prosecutor recommended. Newly discovered evidence seems to show that prosecution was party spite work on part of witness.

FRANK WYATT: City Court of Hazlehurst, Spring Term, 1916; selling liquor; 12 months. Commuted March 10, 1917 Applicant, who was engaged in running down blind tigers was, in turn, prosecuted by one of their number, and was apparently the victim of a "frame-up." Prosecuting officers, mayor

and council of city of Hazlehurst and judge of City Court recommended clemency.

FRED BATTLE: Clayton Superior Court, Spring Term, 1916; shooting at another and carrying pistol; 12 months and 12 months. Commuted to fine of \$100 in each case March 17, 1917. From affidavit in record, it appears that party at whom applicant shot was aggressor. Sheriff, trial judge, solicitor and others recommended.

RUFUS CLARK: Mitchell Superior Court, January Term, 1916; simple larceny; 2 years. Commuted to \$100 fine March 29, 1917. Applicant served about 2 months. From after discovered facts, it appeared that applicant may have been really innocent of the charge. Prosecutor strongly urged clemency. Judge and solicitor stated no objection to same.

JESS SHAW: Floyd Superior Court, August Term, 1916; simple larceny; 10 months. Commuted March 29, 1917. Applicant had only about 20 days left to serve when his wife died, and he desired to go to her funeral and to have the benefit of balance of his sentence, that he might care for his little children.

EDGAR NEWSOME: Muscogee Superior Court, February Term, 1915; arson; 5 years. Commuted April 6, 1917. Applicant served 1 1-2 years, and from newly discovered evidence it appeared that applicant's guilt was extremely doubtful. Trial jurors recommended clemency, and trial judge and solicitor-general offered no objection.

JESSE FULGHUM HUDGINS: Baker Superior Court, March Term, 1911; murder; life imprisonment. Commuted April 6, 1917. It appears that applicant was only about 16 years old at time crime was committed. Served 5 1-2 years, made a good prisoner and assisted the authorities in several instances in

recapturing escaped convicts. Trial judge, prosecuting attorney, trial jury and grand jury, as well as the county officers all recommended and urged clemency, and one of the prosecuting attorneys called at the Governor's office and stated he believed applicant was under influence of older parties in the commission of the crime.

BUNYON O. LUCAS: Bibb Superior Court, Spring Term, 1916; murder; hang. Commuted to life imprisonment April 10, 1917

CHARLEY JOHNSON: Wilkes Superior Court, March Term, 1915; manslaughter; 2 years. Commuted April 12, 1917. Applicant served all but three months of his sentence, and his record being good, as shown by recommendation of sheriff of Wilkes County, clerk Superior Court, said county, solicitor-general and judge of Superior Court, and same recommended by trial judge and solicitor-general, sentence was commuted to present service.

OZELLE STEPHENS: Dougherty Superior Court, September Term, 1910; murder; life imprisonment. Commuted April 13, 1917. Applicant was under 16 years of age at time of crime, and from affidavits submitted from principal witnesses for the State upon the trial, procured since conviction, it appears there were serious provocations in connection with the killing and that the case from the last obtained evidence more closely resembles one of manslaughter than of murder. Trial judge urged clemency; 7 members of the trial jury recommended. Brothers and sisters of deceased recommended commutation. Solicitor had died since trial.

WORLEY EVANS: Hart Superior Court, August Term, 1915; selling liquor; 12 months. Commuted to fine of \$250 April 14, 1917. Judge and solicitor-

general, as well as judge of Superior Court, senator-elect and sheriff of the county, recommended clemency

JONAS, ALIAS TOOK, REDWINE: Fayette Superior Court, March Term, 1916; two misdemeanors; 12 and 12 months. Commuted to fine of \$100 April 14, 1917 Applicant served one sentence and two months on the second. It appeared that applicant was convicted of involuntary manslaughter in the commission of a lawful act without due caution and circumspection, a misdemeanor; also, of carrying a concealed pistol, a misdemeanor. It appeared, however, he was not carrying the pistol, but merely picked it up from a table or mantel while at a friend's house, and was handling it when it fired and killed deceased. Witnesses all claim it was an accident. Judge stated he would recommend commutation after year's service and good conduct, and now urges clemency.

HILL STINSON: Greenville City Court, October Term, 1916; misdemeanor; 6 months. Commuted April 20, 1917 Newly discovered facts show that principal witness against applicant was bad character, and afterwards admitted that statement he made against applicant was not true. Applicant served 4 months. Judge, solicitor-general and others recommended.

O. R. LEDFORD: DeKalb Superior Court, October Term, 1916; mutilating public records; 12 months or \$1,000. Commuted to \$500 fine April 21, 1917, on account of applicant's weak mental condition, and recommendation of judge and solicitor-general.

BEN ROWLAND: Laurens Superior Court, April Term, 1916; larceny and vagrancy; 24 months. Commuted April 28, 1917 Applicant served one of

his 12 months sentences and about one month on the second. He had also just prior to the conviction in this case, paid a fine of about \$200 for the crime of vagrancy. He was addicted to the use of drugs, but was cured. Trial judge, solicitor-general and others recommended clemency.

SCOTT JONES: Macon Superior Court, November Term, 1908; murder; life imprisonment. Commuted May 17, 1917 Solicitor-general who prosecuted called in person and urged release of applicant, who, it appeared from newly discovered evidence, shot in self-defense, while a general shooting was going on in a crowd of negroes. Principal witness against applicant later committed murder and ran away. Mother and wife of deceased stated that deceased made a dying statement to the effect that he did not blame the applicant for shooting; that he had to do so in self-defense. Trial jurors recommend, and trial judge offers no objection to clemency.

WILKIE SWILLING: Hart Superior Court, February Term, 1916; voluntary manslaughter; 10 years. Commuted June 7, 1917 Newly discovered testimony showed that deceased was advancing upon applicant with an open knife at the time of the homicide. Trial jurors state had this evidence been introduced, they would have acquitted; and trial judge states he would have granted motion for new trial, had not the verdict been one of acquittal. Grand jury, trial jurors, judge, solicitor-general and large number of citizens recommended.

DUDE BENTLEY: Monroe Superior Court, August Term, 1910; murder; life imprisonment. Commuted June 7, 1917 It appeared that deceased was a desperate character, and had offered every insult possible to the applicant; that the weapon was handed to applicant by another party with the suggestion

that applicant shoot the deceased; and applicant was largely dominated by such party and acting under his influence when he committed the crime. Applicant served more than 7 years of sentence. Trial judge, solicitor-general who prosecuted the case, trial jurors, number of grand jurors, county officers and large number of citizens recommended clemency.

EMANUEL COLLINS: Spalding Superior Court, August Term, 1916; misdemeanor; 12 months. Commuted June 7, 1917 Applicant only had two weeks longer to serve, and county commissioners of Spalding County desired to give him benefit of that length of time as a reward for preventing several prisoners from making their escape by breaking jail.

LEW MILLER: Heard Superior Court, September Term, 1912; murder; life imprisonment. Commuted June 11, 1917 Applicant served 4 years, and it appears that he did not do the actual shooting. Trial jurors all recommended, as did about 1,800 citizens of Heard County. Trial judge recommended, and from peculiar character of the case, there seemed to be extreme doubt as to applicant's guilt.

J. P. R. SIKES: Tattnall Superior Court, July Term, 1916; attempt to murder; 1 year. Commuted to fine of \$350 June 11, 1917 Solicitor-general suggested punishment as misdemeanor, because the jury trying case returned verdict recommending mercy, the offense being shooting at another. Jury recommended commutation to fine, as did all county officials of Tattnall County.

GUS RAGAN: Dodge Superior Court, September Term, 1908; murder; life imprisonment. Commuted June 13, 1917 Trial judge and solicitor-general stated verdict of manslaughter could have been ren-

dered under the evidence, as the case was a doubtful one, and applicant has served more than 10 years, which according to a number of the judges of the Superior Court is an average sentence for manslaughter. Newly discovered evidence shows that one of the principal witnesses for the State at trial misrepresented the facts. Deceased was a desperate character, it appeared, while applicant's character prior to crime and his prison record were above reproach. Trial jury recommended.

DOCK FITZGERALD: Fayette Superior Court, September Term, 1910; murder; life imprisonment. Number of trial jurors stated that from newly discovered evidence they were convinced applicant was absolutely innocent, as affidavits from parties who were at the killing showed that applicant was not present, and was seen by parties leaving the scene of the crime, going toward the same, immediately after the killing took place. Deceased was of bad character, it appeared. Solicitor-general urged clemency.

D. L. GRANT: City Court of Dublin, June Term, 1916; selling liquor; 12 months. Commuted to \$100 fine, June 1, 3, 1917. Applicant was held in jail for 6 months by order of the judge without being allowed to give bail, pending his appeal to Court of Appeals, during which time it appeared that he contracted tuberculosis. Physician's certificate was furnished to that effect. Applicant served sentence imposed in Municipal Court of Dublin which grew out of the same offense for which he served part of sentence in chain-gang. Trial judge, county officers and large number of citizens recommended clemency.

BILL WATKINS: City Court of Columbus, April Term, 1916; adultery and fornication; 18 months.

Commuted June 14, 1917. Prosecutor and brother of the husband of the women involved joined in recommendation of trial judge and solicitor who prosecuted, for clemency. Applicant was convicted on two charges; completed service on one and several months on the other.

SOLOMON BRANTLEY: Washington Superior Court, March Term, 1909; murder; life imprisonment. Commuted to term of 8 years, June 19, 1917. Applicant was first convicted of voluntary manslaughter and given 7 year sentence; secured new trial and was given life sentence; newly discovered evidence appeared to show that this was case of manslaughter, as the first jury found and trial judge appeared before the Governor and earnestly recommended clemency. Solicitor-general also recommended.

OSCAR LEE WILLIAMS: Warren Superior Court, October Term, 1914; embezzlement; 2 1-2 years. Commuted to fine of \$100 June 21, 1917. Applicant served five 6 months misdemeanor sentences, and the judge, solicitor, sheriff and other officers recommended that felony sentence be commuted to \$100 fine. In view of length of service, about 3 years. and recommendation of attorney for company from whom funds were taken, practically all the funds having been recovered, clemency was granted.

EMMETT STARGIL: Hall Superior Court, Fall Term, 1912; murder; life imprisonment. Commuted to term of 7 years, June 25, 1917. Newly discovered evidence, not available at the trial, showed facts which would probably have secured the acquittal of applicant or at most only a verdict of voluntary manslaughter. Jurors, judge, sheriff, warden and all convict guards, recommended pardon; and applicant's conduct since incarceration has been most exemplary.

ED BRYANT: City Court of Cedartown, Fall Term, 1916; two misdemeanors; 5 months and 7 months. Commuted to \$100 fine, June 25, 1917 Applicant served one sentence and about 3 months on the second. He was given alternative fine of \$150 in this case, and trial judge recommended proration of fine, he having served practically one-third of his sentence.

E. A. RAMPEY: Berrien Superior Court, Spring Term, 1916; arson; 5 years. Commuted to term of 2 1-2 years June 25, 1917 Seemed to be some doubt as to guilt of applicant, there being lack of proof of motive, as he did not profit by the burning, this having been shown at time of trial. Judge and large number of citizens recommended pardon. Trial jurors and grand jurors recommended.

BEN TOWLER: Gwinnett Superior Court, September Term, 1916; violating prohibition law; 12 months. Commuted June 25, 1917 Applicant served 7 months. Trial judge and solicitor-general strongly urged commutation. It appears this was applicant's first offense, and on account of condition of said applicant and his family, in addition to recommendations above referred to, applicant's sentence was commuted.

TOM AVERY: Warren Superior Court, Fall Term, 1909; attempt to rape; 20 years. Commuted December 23, 1916. Both the alleged victim and her father, who prosecuted, stated applicant was not guilty of this crime. Trial judge recommended.

J. P. ARMSTRONG: Richmond Superior Court, May Term, 1914; forgery; 8 years. Commuted to term of 5 years June 27, 1917 Applicant in bad physical condition, and had wife and 7 children dependent upon him for support. Prison commission recom-

mended parole. Large number of recommendations.

LONNIE DIXON: Charlton Superior Court, April Term, 1909; murder; life imprisonment. Commuted June 29, 1917 Newly discovered evidence made it very doubtful as to applicant's participating in the killing; and it was never claimed that he did the actual shooting. Number of relatives of the deceased, solicitor-general who prosecuted, trial judge and large number of citizens of the county, including representative and the county officers, urged applicant's commutation.

BREW JACKSON: Jasper Superior Court, August Term, 1913; murder; life imprisonment. Commuted June 27, 1917 Record shows this applicant was only 16 years old, that he was influenced by his older brother in the commission of the crime. Solicitor-general who prosecuted, trial judge, trial jurors, county officers and present solicitor-general of the circuit, as well as large number of citizens, recommended and urged clemency in this case.

CHARLIE SMITH: Turner Superior Court, August Term, 1915; murder; life imprisonment. Commuted to term of 4 years June 27, 1917 At time of trial, judge, in overruling motion for new trial, incorporated in his order the fact that he considered the case one of killing by accidental shooting, and felt applicant should be pardoned after two years service.

JOHN FLAGG: Bibb Superior Court, February Term, 1913; assault to rape; 16 years. Commuted to term of 5 years June 27, 1917 It appeared from newly discovered evidence that there was serious doubt of applicant's guilt. Affidavits were furnished as to the good character of applicant, and

large number of reputable citizens recommended clemency.

JOHN DIXON: Jackson Superior Court, February Term, 1909; murder; life imprisonment. Commuted June 28, 1917 Applicant served eight years. Release strongly recommended by solicitor-general who prosecuted; new evidence also submitted.

FRANK WRIGHT: Butts Superior Court, February Term, 1911; murder; life imprisonment. Commuted June 28, 1917 Applicant served about 6 years. Newly discovered evidence submitted. County commissioners of Henry County, solicitor-general who prosecuted, special attorney employed to prosecute, and most of the jurors recommended.

ISAAC HOLTON: Dooly Superior Court, Fall Term, 1911; murder; life imprisonment. Commuted to term of 8 years June 29, 1917 Applicant killed deceased as the result of insults to former's wife, which, it seems, were inexcusable, since she was known as a chaste and virtuous woman. Applicant spent more than a year in jail before his trial, and has served five years of his life sentence. Solicitor-general and large number of others recommended.

WILL FLETCHER. Fulton Superior Court, November Term, 1895; arson; life imprisonment. Commuted June 29, 1917 Applicant had served more than twenty years. His crime was setting fire to an old blacksmith shop in Atlanta. Since he has served more than the maximum sentence now provided by law for the crime which he committed, the law having been changed since his confinement, and further, on account of officer who saw the act and made the arrest having called in person and urged clemency, commutation was granted.

SAM SMALL: City Court of Jesup, January Term,

1917; selling whiskey; 12 months or \$500. Com-muted to fine of \$100 June 29, 1917 Applicant was in bad physical condition. Trial judge and solicitor both urged clemency.

PRESS UPSHAW: City Court of Griffin, June Term, 1916; misdemeanor; \$100 and 12 months. Com-muted June 29, 1917 Applicant paid fine of \$100 and sentence was suspended. Later the judge re-voked the suspension, and applicant was committed to chain-gang of Spalding County County physi-cian certified that he was in bad health. Trial judge and judge of present city court of Griffin recom-mended commutation.

WARNER WORTHAM: Paulding Superior Court, Au-gust Term, 1913; murder; life imprisonment. Com-muted to term of 7 years June 29, 1917. Applicant served more than 3 years. Since his incarceration his leg had been broken, and he will be crippled for life. Newly discovered evidence showed probable case of manslaughter, and trial judge stated that an affidavit now before him would in all probability, if it had been available to the trial jury, resulted in manslaughter verdict. Trial judge and trial jurors strongly urged commutation. Prison commission recommended commutation to present service.

JOHN MADDOX: Putnam Superior Court, Septem-ber Term, 1910; murder; life imprisonment. Com-muted June 29, 1917 Deceased made dying state-ment that applicant accidentally shot her. There were no eye witnesses. Trial judge, solicitor-gen-eral and others recommended clemency

JIM DRANE: Taylor Superior Court, January Term, 1915; murder; life imprisonment. Commuted June 29, 1917 Newly discovered evidence showed conclusively that witnesses for State were influenced

in the testimony they gave against applicant. Solicitor-general recommended clemency, and trial judge stated he had no objection.

JACK POPE AND ARTHUR POPE: Taylor Superior Court, January Term, 1915; murder; life imprisonment. Newly discovered evidence showed that State's witnesses were largely influenced in their testimony, and testified under duress. Solicitor-general, representative from the county, and others recommended, and trial judge offered no objection. Prison commission recommended commutation to present service. Commuted to term of 5 years, June 29, 1917

VIRGIL HILL. Haralson Superior Court, Spring Term, 1915; manslaughter; 5 years. Commuted June 30, 1917 Newly discovered evidence showed that deceased was advancing upon applicant with knife at the time applicant threw a rock and killed deceased, who was said to be of bad character. Applicant, on the other hand, appeared to have been of good character, and has pledged himself to live an upright life from this time on, having fully repented of his wrong.

LONNIE DENNARD: Decatur Superior Court, May Term, 1914; murder; life imprisonment. Commuted June 30, 1917 Sole witness for State in this case committed a crime and ran away since the trial. Applicant served nearly three years. Trial judge, grand jury and others recommended clemency. Owing to the doubt raised in the case through newly discovered evidence, it appeared this was a case for commutation.

RESPITES.

WILL LAMPKIN: Decatur County; murder. Respited from July 7th, 1916, to August 4th, 1916, to

allow time to file extraordinary motion for a new trial.

JOHN DAVIS WRIGHT: Harris County; murder. Respited August 9th to September 8th, 1916, to allow commission of physicians to examine into mental condition of defendant.

AARON WILLIAMS: Glynn County; murder. Respited from July 21st until August 18, 1916, at request of prison commission to allow that body to examine application for a commutation.

JOHN DAVIS WRIGHT: Harris County; murder. Respited from September 8th until September 22nd, 1916, and again from September 22nd to October 20th, 1916, to give time for prison commission to consider application for clemency.

EARLY MOON: Madison County; murder. Respited from September 22nd to October 20th, 1916, to allow time for presentation of application for clemency.

LULA GARRETT: Stewart County; misdemeanor. Respited from September 16th to September 28th, 1916, to allow time for presentation of application for clemency.

J. A. HARRIS: Crawford County; misdemeanor. Respited from November 13th until December 6th, 1916, and again from December 6th until December 16th, 1916, and again from December 16th until January 10th, 1917, to allow time for application for clemency to be presented to the Prison Commission and Governor.

E. B. STAPLETON: Grady County; misdemeanor. Respited from December 21st, 1916, to January 12th, 1917, at request of Prison Commission to allow time for presentation of application for clemency.

RICHARD GLAWSON: Bibb County; murder. Respited from January 4th, 1917, to January 26th, 1917, and again until February 2nd, 1917, and again until February 16th, 1917, to allow time for application for clemency to be submitted to the Prison Commission of Georgia.

TOM SHIRLEY: Franklin County; murder. Respited from January 11th until February 9, 1917, to allow newly discovered evidence and application for clemency to be submitted to the Governor.

CLARENCE DENNIS: Pike County; murder. Respited January 30th until February 16th, 1917, at request of Prison Commission to allow time for presentation of application for clemency.

B. O. LUCAS: Bibb County; murder. Respited from March 22nd until April 13th, 1917, to allow time for presentation of application for clemency.

FRANK HUGLE: Fulton County; murder. Respited at request of Prison Commission from June 22nd, 1917, until July 20th, 1917, to allow time for presentation of application for clemency.

EUGENE ARMSTRONG: Early County; murder. Respited from June 29th until July 27th, 1917, at request of Prison Commission to allow counsel time to present application for clemency.

PARDONS AND ORDERS MERELY RESTORING CITIZENSHIP

BARNEY HODGES: Decatur Superior Court, Spring Term, 1916; simple larceny; 12 months. Pardoned and citizenship restored July 31, 1916. Newly discovered facts show that applicant was innocent. The judge of the City Court and senator from the Eighth District recommended.

ED WATSON: Early Superior Court, October Term, 1900; simple larceny; 12 months or \$60.00. Applicant paid fine and order merely restoring citizenship was granted August 18, 1916. Senator from 19th District recommended.

JOHN T. McFALLS: Jasper Superior Court, September Term, 1895; larceny from house; 12 months or \$100.00. Applicant paid fine and order merely restoring citizenship was granted August 18, 1916. Senator from the 28th District recommended.

JOHN DREW, FORT LAND AND MATHEW HOLDEN: Ben Hill Superior Court, Spring Term, 1916; 3 months each. Pardoned September 4, 1916. The trial judge, solicitor-general, the person whose property was stolen, the court officials, and a large number of citizens asked that they be pardoned in view of their youth and the circumstances surrounding the crime.

PEARSON BAILEY: Hart Superior Court, August Term, 1915; involuntary manslaughter; 1 year. Applicant had served most of his sentence, and on recommendation of the trial jury, solicitor-general, county officers of Hart County, and a large number of citizens, he was pardoned and order restoring citizenship was granted September 18, 1916.

R. C. FARGASON: Fulton Superior Court, Spring Term, 1912; larceny; 6 years. Pardoned as result of parole granted June 9, 1915, by former Governor.

NELSON A. RETSCH: Fulton Superior Court, May Term, 1915; robbery; 4 years. Applicant furnished information that led to the conviction of the others indicted; the trial jury recommended a misdemeanor punishment; applicant has served more than 12 months. The trial judge and solicitor recommended pardon. Pardon granted November 24, 1916.

J. H. DAY: Crisp Superior Court, November Term, 1910; manslaughter; 8 years. Applicant was old and infirm and there were mitigating circumstances connected with the killing. The judge and solicitor both recommended. Had served most of his sentence. Pardon granted December 14, 1916.

WILL GILES: Rabun Superior Court, Fall Term, 1906; manslaughter; 20 years. Pardoned December 14, 1916, as result of parole granted by former Governor January 20, 1915.

J P THORNTON: Muscogee Superior Court; May Term, 1915; larceny from house; 6 months. Applicant had served his sentence. The trial judge and solicitor recommended. Order merely restoring citizenship granted December 14, 1916.

O. V. SHARPE: Toombs Superior Court, February Term, 1913; embezzlement; 5 years. The record showed that the County of Toombs lost nothing, nor did his bondsmen lose anything. Applicant sold his plantation and paid his shortage within 24 hours after audit of his books was completed, and the amount ascertained. Pardon granted January 25, 1917.

GROOVER BOYETTE: Berrien Superior Court, March Term, 1914; seduction; 10 years. The record showed that applicant was not technically guilty. The girl alleged to have been wronged, her father, the trial judge, the solicitor, and practically every one living in the vicinity of the scene of the alleged crime now strongly urge clemency. Pardon granted February 24, 1917

H. JOSEPH WISE: Fulton Superior Court, May Term, 1912; embezzlement; \$100.00. It appears applicant was only technically guilty and promptly

paid his fine. The solicitor and a number of citizens recommended. Order merely restoring citizenship granted March 9, 1917

W F. HOLMES: Bibb Superior Court, May Term, 1912; embezzlement; \$1,000.00. Applicant had paid his fine. Order merely restoring citizenship granted April 25, 1917.

JESSE LAND: Bibb Superior Court, November Term, 1912; manslaughter; 10 years. Pardoned May 7, 1917, as result of parole granted January 19, 1916.

A. W STOKES: Bibb Superior Court, November Term, 1914; murder; life. Newly discovered evidence showed conclusively that the home of the applicant had been invaded by deceased. Order restoring citizenship granted April 27, 1917.

J P. BRIDGER: Habersham Superior Court, March Term, 1916; selling whiskey; 2 years and \$150.00 and costs. Applicant was an old man and had served 7 months. Pardoned and order restoring citizenship granted November 8, 1916. Trial judge and solicitor recommended.

TURNER COX: Mitchell Superior Court, April Term, 1915; manslaughter; 15 years. Newly discovered evidence showed applicant was not guilty. Wife of deceased swore that deceased made dying declaration to the effect that applicant was not at fault, and recommended clemency. The trial jurors also recommended. Pardoned June 25, 1917.

WILLIAM L. KNIGHT: Washington Superior Court, Spring Term, 1913; manslaughter; 10 years. Pardoned June 26, 1917. Pardoned as result of parole issued October 15, 1915.

On motion of Mr. Peacock of 15th District the joint Assembly was dissolved.

The Senate returned to its chamber and was called to order by the President and the hour of adjournment having arrived the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.

Saturday, June 30, 1917

The Senate met pursuant to adjournment at 10 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Bynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loftin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	McCurry, A. A.	Mr. President.
Edwards, Chas. H.	Merry, H. H.	

The Journal of yesterday's session was read and confirmed.

The following resolutions were read and adopted, to-wit:

By Mr. Elders—

A resolution providing that when the Senate adjourns today it stand adjourned until Tuesday, July 3rd, 1917, at 11 o'clock A. M.

By Mr. Peacock—

A resolution of sympathy to Mr. Burt, of Dougherty County, on account of the death of his father.

The following resolution was read and adopted to-wit:

By Mr. Elders—

WHEREAS, The Senate has learned of the death of Miss Mabel Bigby, sister of our official stenographer, Mrs. Louise Bigby Marsh;

RESOLVED, That the Senate hereby express to Mrs. Marsh its great sorrow and extend to her its deep sympathy in this hour of her great bereavement.

RESOLVED FURTHER, That the Secretary of the Senate is directed to furnish Mrs. Marsh a copy of this resolution.

The following Senate bills were read the first time, to-wit:

By Mr. Peacock—

A bill to amend Article 3, Section 2, Paragraphs 1 and 2 of the Constitution which relates to the numbers of Senators by increasing the number of Senators and Senatorial Districts to 51.

Referred to Constitutional Amendments Committee.

By Mr. Denny—

A bill to repeal an Act to provide uniformity in the composition of Boards of Commissioners of Roads and Revenues for the County of Floyd.

Referred to Committee on County and County Matters.

At 10:15 o'clock A. M., the Senate took a recess until 11:45 o'clock A. M.

The Senate reconvened at 11:45 o'clock A. M., and was called to order by the President.

The Senate then repaired to the Hall of the House of Representatives for the purpose of inaugurating the Governor-elect.

The President of the Senate took the chair and called the General Assembly to order.

The Secretary of the Senate read the program which had previously been adopted providing for the inauguration.

At 12 o'clock M., the Governor-elect, Hon. Hugh M. Dorsey, and the retiring Governor, Hon. N. E. Harris, accompanied by the joint committee of the General Assembly; the Judges of the Supreme Court and Court of Appeals, State House officers, ex-Governors of the State, and others, appeared at the door of the House, and were received by the General Assembly.

Prayer was offered by Rev. J. H. Scruggs, of Hawkinsville, Ga.

The oath of office was administered to Governor-elect Hugh M. Dorsey by Chief Justice Fish of the Supreme Court.

The retiring Governor Harris delivered to Governor Dorsey the Great Seal of the State and the Gov-

ernor returned it to the Secretary of State for safe keeping.

The President then introduced the Hon. Hugh M. Dorsey, who proceeded to deliver his inaugural address, as follows:

ADDRESS

Mr. President and Gentlemen of the General Assembly:

The sovereign people of our commonwealth, by the free expression of their will, have accorded me the privilege and honor of serving for the ensuing two years as Chief Executive of Georgia, and the oath to which I have just subscribed clothes me with the great and responsible duties of the chief magistracy.

The one quality of administration demanded by this oath and expected by the people is fidelity—that I “shall faithfully execute the office and to the best of my ability, preserve, protect and defend the Constitution of our State and of the United States of America.”

While many will undoubtedly disapprove of much that is done by any executive, yet universal condemnation will always follow a betrayal of trust, where honest mistakes will be condoned. That mistakes will be made is certain. That sincere and honest effort, however, will be appreciated, though not always approved, is as certain and sure as that opprobrium will follow him who proves recreant.

The duties of this high office are not always easily

performed; indeed, are often onerous. They are varied, and in the discharge of the functions of this responsible position it not infrequently happens that the conduct of your executive affects for weal or woe the people of this great empire.

Appreciating the great honor, fully conscious of the responsibilities, I undertake the duties devolving upon me with a fixed determination to render the people of this State the most efficient and faithful service of which I am capable.

I conceive this an opportune time to discuss briefly and in a general way some of the problems that you and I are to consider. I purpose at an early date to transmit to your bodies a message, in which I shall amplify and enlarge my views as to the several matters of which I deem it profitable to speak today, and in which I shall discuss other important matters for the consideration of which this occasion is not deemed opportune.

I realize that there are many members in your bodies more familiar with State problems than I who have had heretofore no official opportunity for first-hand observation; but I shall express frankly the convictions which I entertain concerning all matters to which I refer, knowing that you will accord my views such consideration as they may deserve, but will rely, as the Constitution and our laws contemplate, upon your own experience and wisdom to guide you aright.

I hardly need to assure you that it will be my pleasure, as it is my oath-bound duty, on every occasion and in every matter where the welfare of our

State and its people is concerned, to co-operate heartily with you to the fullest extent of my ability; and I assure you I shall confidently expect at all times your complete co-operation.

There are important problems demanding immediate attention and correct solution at your hands, and calling for the exercise of both patriotism and ability.

FINANCE AND TAXATION.

To maintain the State government and make appropriations necessary for improvements and progress requires revenues, which must come from taxation—the most complex, intricate and perplexing problem with which you will be confronted, and one in which every person is directly interested.

The Tax Equalization Law of 1913 is not perfect, and injustice, no doubt, frequently results in its administration. But I should greatly regret to see it repealed unless a better one is substituted therefor.

This law, it occurs to me, should be strengthened and perfected. No scientific and absolutely equitable scheme of taxation is susceptible of attainment except it be built up through experience.

Unfortunately, invisible property, under this law, as under all previous laws, and indeed, under all laws of all States, so far as I have been able to discover, is escaping its fair burden of taxation, and your ingenuity will be challenged to devise a method whereby such property can be made to pay its pro-rata share toward the maintenance of our Government, but your energies should be directed to that

end. The schemes and plans devised to escape taxation are numerous. The State Tax Commissioner of Georgia is authority for the statement that in 1914 the returns of money for taxation were less than twenty-five million dollars, when the report of the State Bank Examiner of this State showed there was on deposit in the banks of this State one hundred and seventy million dollars. At the same time, the returns of merchandise in this State for taxation were forty-one million dollars, while the Insurance Department disclosed insurance on merchandise to be over four hundred million dollars, or more than ten times the value returned for taxation.

I find that six banks in a city of approximately twenty thousand inhabitants have returned their assets for taxation this year at figures which, in each instance, as shown by sworn statements of their officials required by law to be made and published, are forty per cent less than the market value of their assets. Thus many people with ready cash, some merchants and some banks, by their own admissions, are escaping taxation on millions of dollars, while land values more uniformly are being taxed at their real worth.

Some legislation amendatory of existing laws should speedily be enacted to remedy these inequalities.

But I shall not burden you with a detailed discussion at this time of what I deem to be proper methods to uncover invisible property for taxation. I shall discuss the matter in detail in my message.

A reform in connection with our finances, I sug-

gest, should begin with a change in your rules, which I respectfully submit should provide for a Finance Committee, into which your Ways and Means Committee and the Appropriations Committee of the House should be merged, this committee to be charged with the duties of both those committees, the inevitable result of which will be a report in which expenditures will harmonize with available funds.

If this Finance Committee should put itself in the attitude of appropriating more money than can reasonably be anticipated, and the General Assembly in conformity with this report should make appropriations in excess of available funds, then a Commission, or Board, which I shall discuss later, should be established by your body and empowered to scale each and every appropriation by whatever per cent is necessary to equalize appropriations with revenues; provided, of course, that no appropriations to pay the principal and interest of the public debt may be thus affected.

School teachers and Confederate Veterans should not be delayed in receiving their pay, while legislators and other officials are promptly paid in full.

The practice of kiting, resorted to in some previous administrations, applying taxes of one year to the payment of appropriations of a previous year, is unconstitutional and illegal, and should cease; and the first step in this much-needed reform of our fiscal affairs lies within your power to initiate. This suggested plan of controlling excessive appropriations can, I think, be made of service be-

fore the disbursements of any appropriations have been made for the year 1918, and need not interfere with the adoption of some one of the budget methods which are found to work so well in other States, and the consideration of which by your body would undoubtedly be profitable.

EFFICIENCY COMMISSION, OR BOARD OF CONTROL.

I advise the creation of an Efficiency Commission, or Board of Control, utilizing existing State officials—the Governor, Comptroller-General, Treasurer and Attorney-General—and completing the commission by the addition of an Auditor, to be appointed by the Governor.

This is the only office with salary attached that I think should be created at this time. The duties of the Auditor, under direction of the Commission, would be numerous. Through the Commission—the work being done chiefly by the Auditor—a civil service system for State Capitol employees can be established; purchases by various State institutions audited and checked, if not made, through him; State revenues passing through the collecting agencies of the counties whence the State gets the largest proportion of its revenues can be investigated and checked in co-operation with the counties, and money saved for such service to the counties. The entire accounting system of the State can be regulated and systematized, and county systems made uniform and harmonious. The State printing, now

unchecked as to specifications or amount expended, can be audited.

The State can be saved much money, and plans easily developed whereby efficiency and simplicity will supplant the cumbersome methods now too often used.

The Auditor would earn any salary you would pay if, under his supervision, all revenues of the State, from whatever source derived, should first be covered into the State Treasury and then disbursed upon proper warrant signed by the Executive, instead of permitting inspectors and other officials to account for net revenues from their departments, after deducting expenses of administration.

EDUCATION.

The State Superintendent of Schools and a majority of the educators of our State are of the opinion that some plan should be devised for local taxation in the interest of our educational system, and that the county should be the basis therefor. Some local assistance, within reasonable limitations, should be demanded, and more permitted, and on easier terms than is possible under the law as it now is. This would be a progressive step. While it would require a Constitutional amendment, provision for the submission of such to the people for ratification or rejection should be made at this session. Whenever a county is made to bear more directly and immediately responsibility for the education of its children, more money will be had for

that purpose, and we will, consequently, have more and better education.

Heretofore appropriations for common school maintenance and support have consumed two and a quarter mills of the Constitutional limit of five mills, and it is very improbable that any substantial increase of such appropriations can reasonably be expected. This suggested amendment comes from the friends of the public schools and education. There should be no fear that the common schools under this plan will receive less money than heretofore. Its advocates assert that if all the counties will do their duty—and we should legislate on the idea that they will,—many improvements can be made immediately.

Few States appropriate more money to educational purposes than Georgia, and in most, where the funds are larger and educational facilities superior, local taxation is universally found.

The adoption of this plan would hasten the day when the children of our State could be supplied with free school books. The sum of one hundred thousand dollars given for that purpose, in the opinion of our Superintendent, would be worth more than the few days that sum would add to the present school term.

I hope that something beyond the initial step, which your predecessors have taken, can be done to furnish free school books in Georgia. It would probably do more to reduce our high percentage of illiteracy than any one thing that can be suggested.

The Federal Vocational Educational Law calls

for consideration at your hands, if, as I hope, Georgia is to share in the funds conditionally appropriated by the United States Government.

I shall discuss fully the questions arising in connection with this matter at a subsequent time, but I submit here that in the application of these funds something more for the agricultural and industrial education of the negro should be done. It is a short-sighted policy and one that will not ultimately redound to the glory of our commonwealth to deny him reasonably just facilities for an education. We are doing something already for his education along agricultural and industrial lines, but at the earliest opportunity, and as soon as our finances will permit, something further should be done. While within the last twelve months fifty thousand have left our State, influenced by representations that higher wages could be earned in industrial centers of the North, still the negro is and will ever remain a problem with us; and in justice and in wisdom, we should equip him for the best service of which he is capable. Thousands of negroes are law-abiding, faithful and respectable in time of peace, and patriotic in time of war, as exemplified by the recent registration, when the percentage of their number claiming exemptions in many counties was far less than that of our own race.

AGRICULTURE.

The State should in every reasonable way foster the agricultural interests, which are the basis of the wealth of our people.

Previous legislatures have done much to advance them, and all agencies maintained to that end are doing splendid work. The farmer is more and more appreciating the almost inestimable benefits that are being conferred through the Department of Agriculture, the State College of Agriculture and the District Agricultural Schools; is availing himself more liberally each year of the advice and assistance which trained experts are able and willing to give; and is demanding still further assistance.

There are yet opportunities for wonderful advancement and upon scales so large that what has been accomplished will appear trivial—but an earnest of what can be done.

In reviewing the agricultural laws, one is struck, however, with the fact that in building up our agricultural system no definite plan or scheme has been followed. Independent departments too often have been created, and, under the present arrangement, there is frequent over-lapping—different departments pursuing the same end, where one department more economically and effectively could accomplish the purpose.

Future legislation should seek co-ordination, centralization and consolidation, to the end that lost motion and duplication of effort may be saved, and that jealousies, useless and detrimental, which are found to exist, may be eliminated. It is probable that at no distant date an entire reorganization could be undertaken very profitably.

LEGISLATIVE REFORMS.

Too much of the valuable time of the General As-

sembly is devoted to the consideration of purely local matters. There should be general laws providing for the incorporation of municipalities, for the creation of County Commissioners of Roads and Revenues, and for the establishment of State Bank Depositories. Many other matters of a similar nature will present themselves when you come to a consideration of this suggestion.

An inspection of the laws enacted at any session of the General Assembly for the past several years will show that the majority of the statutes pertain to local matters which could have been better cared for under general enactments.

REFORMS IN ADMINISTRATION OF CRIMINAL LAWS.

There should be legislative reforms in the administration of the criminal laws of this State. However, the greatest reform is exclusively within the power of your Executive to initiate. I am convinced that nothing will bring greater and more permanent security than an understanding on the part of those who entertain slight regard for property-rights or human life that there will be infrequent interference by the Executive with the judgments of our courts. The exercise of the pardoning and commuting power entrusted to your Chief Executive should be limited to those exceptional cases where the State's clemency is demanded for the public good, and in order that injustice may not be done. When once it is known that neither political nor

sentimental reasons can, after conviction, save those of crimes will become less frequent in Georgia. The surest guaranty against mob-rule, excepting only fair and expeditious trials, is a strict adherence to this policy of respect for the work of our courts and non-interference with the sentences which they impose.

EARLIER OFFICIAL ASCERTAINMENT AND ANNOUNCEMENT OF GOVERNOR'S ELECTION ADVISED.

There should be earlier official ascertainment and announcement of the selection of Governor after an election. Heretofore, we have had no close vote for this office, and, fortunately, no official count has been required to determine a choice. In anticipation of an election, however, where it might take official action to determine who is elected, the law should be changed.

There are several simple and inexpensive methods by which this can be done, and without affecting any essential safeguards.

A joint committee of the Senate and House, composed of the President of the Senate and the Speaker of the House, together with the Secretary of the Senate and Clerk of the House, and the Secretary of State, easily could assemble, canvass and publish the results. In the event of no election, or a contest, authority could be lodged in this canvassing board itself to convoke the General Assembly in immediate extraordinary session and the election had

or contest disposed of as now provided by our Constitution.

GOVERNOR SHOULD BE SEATED IN JANUARY.

And I would go further and seat the Governor in January following his election. Too long a period now expires after his election before inauguration. The Governor-elect is not only unable to pursue his usual course, but is virtually required to give most of his time to the consideration of matters pertaining to his incoming administration. He could be inaugurated in the presence of the Canvassing Board referred to, the other State house officers and the public, without the necessity of the convocation of the General Assembly. An advantage of no little consequence would result by this earlier inauguration, not only to the Governor, but to the public as well, because the time intervening between his inauguration and the assembling of the Legislature well could be devoted by him to a study and investigation of affairs of State, and under auspices not susceptible of attainment except by one clothed with the executive authority; and thus the Governor, by reason of personal contact and experience gained during the six months now intervening, would be in better position to counsel your body as to the state of the commonwealth and necessary legislation than is the case under the present plan, where no opportunity for official investigation is afforded.

The incoming Governor also would assume his found guilty of violating our laws, the commission

duties at the beginning of a fiscal year, instead of in its midst, as is now the case.

If the change of date of inauguration, as suggested, is deemed advisable, no embarrassment whatever should result from the present term being shortened for a period of six months, from January to June, inclusive, as I am perfectly willing in the interest of what I believe to be a reform, to consent to the reduction of my term to that extent.

STATE COUNCIL OF DEFENSE.

Our National Congress, in the interest of mobilizing the resources of the Nation, has created a Council of National Defense. At the suggestion of that Council, and to assist the Nation in the preparation necessary for the war which is being waged, and to enable Georgia better to prepare for its part in the National crisis, I recommend that a State Council of Defense be created, "to pilot, promote and supervise the official and unofficial war activities of our State." Many complex and intricate questions may arise, the proper solution of which will be difficult, and the Governor should have the benefit of the wisdom, experience and advice of such men as should constitute a commission of that character. I concur in the request, therefore, that such a council be created and given a legal status.

I believe that the utmost use should always be made of existing State agencies and machinery, and I suggest that the Governor, Adjutant-General, State Superintendent of Schools, Commissioner of Commerce and Labor, Commissioner of Agriculture

and seven other citizens representing the agricultural, labor, manufacturing, mercantile, transportation and other interests of the State be appointed to membership thereon. The interest manifested by the women of our State in war preparations and the importance of the work which has been entrusted to them by our National Council makes it advisable that by express terms they should be made eligible for service upon such a board.

Many of our sister States have made large appropriations, ranging from twenty-five thousand to one million dollars, and have gone very systematically and thoroughly into the work of taking a census of their resources available to the National Government in this emergency, and at the same time promoting the interests of their people in seeing that the Government is informed as to what they have available for use. If this war is protracted, as those best informed seem to think it will be, and it is necessary that "a mobilization of all the material resources of the Nation be had to supply material for the war and serve the needs of the Nation in the most abundant, economical and efficient way possible," as our National Executive has stated, then no man, woman or child or State of this Republic should fail in any duty. The Empire State of the South at once should organize our farmers, our industrialists and our laborers, should co-ordinate the work of all of our agencies and should co-operate with the Nation, to the end that this horrible cataclysm may be terminated as speedily as possible.

The American people, in this hour of National

anxiety, may confidently reckon and rely upon Georgia's sympathy, Georgia's support and Georgia's willingness to dedicate her resources, the flower of her manhood and the honor of the State to the cause of making, as our President has expressed it, "the world safe for Democracy." And our great Democratic President, upon whom unusual and difficult problems bear heavily at this hour, deserves from Georgia's representatives in her General Assembly endorsement for his patriotic devotion to those principles symbolized by the flag of our common country.

CONCLUSION.

In conclusion, I earnestly recommend that all legislation be along the line of a simplified responsible Government; that whatever else we may do, we always definitely adhere to the purpose to give the people a dollar's service for every dollar of their money expended; and I should greatly rejoice if, at the conclusion of our official careers, our legislative and administrative epitaph could be expressed in these two words:

EFFICIENCY AND ECONOMY.

Upon the conclusion of the address, the benediction was pronounced by Rev. C. O. Jones, of Atlanta.

On motion of Mr. Moore, of 3rd District, the joint session was dissolved and the Senators returned to the Senate Chamber.

The Senate was called to order by the President.

In accordance with a resolution previously adopted, the Senate upon motion of Mr. Davison, adjourned until Tuesday, July 3, 1917, at 11 o'clock A. M.

SENATE CHAMBER, ATLANTA, GA.

Tuesday, July 3, 1917.

The Senate met pursuant to adjournment at 11 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Eynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Leftin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	McCurry, A. A.	Mr. President.
Edwards, Chas. H.	Merry, H. H.	

The Journal of Saturday's session was read and confirmed.

The following joint resolution was read and adopted, to-wit:

By Mr. Peacock—

Whereas, with patience and forbearance unexcelled, and unequaled, the President has guided the affairs of the Union through a period fraught with hazard to the peace and happiness of the Republic; and whereas in obedience to the dictates of humani-

ty for the protection and preservation of the rights of American citizens, he has with manifest reluctance but dauntless courage declared war against the "Imperial German Government." Now therefore:

Be it resolved by the Senate, the House of Representatives concurring:

That the General Assembly of Georgia, representing the people of Georgia, do hereby pledge our allegiance to and declare our faith and confidence in him, and his policies, as announced to the American people, hereby conveys to him the assurance that Georgia stands willing and ready, with her traditional patriotism, to the limits of her resources, and manhood, to the support of the President, and the honor of the Nation.

That the Secretary of the Senate send a copy of this resolution to the President of the United States.

The following Senate bills were read the first time, to-wit:

By Mr. Elders—

A bill to amend Section 535 of Penal Code and Section 2718 of Civil Code by providing that conductors of railroad trains shall assign sheriffs, having in charge colored passengers, to smoking cars.

Referred to General Judiciary Committee.

By Mr. Beck, by request—

A bill to amend Paragraph 2, Section 1, Article 11 of the Constitution, so as to create the new County of Cook.

Referred to Constitutional Amendments Committee.

By Mr. Carswell—

A bill to repeal Sections 715 and 716 of Vol. 2 of Code of 1910, relative to the contract labor law.

Referred to General Judiciary Committee.

By Messrs. Andrews and Heath—

A bill to amend Section 431 of Code, by providing that counties shall have authority to issue bonds for inter-county improvements.

Referred to Public Roads Committee.

By Messrs. Beauchamp and Redwine—

A bill to suspend the operations of Section 415 and 416 of the Penal Code with reference to running of freight and passenger trains on the Sabbath, during the period of the War.

Referred to the Railroads Committee.

By Mr. Brown—

A bill to amend Paragraph 1, Section 7, Article 7 of the Constitution in reference to the issuance of bonds by counties and municipalities.

Referred to Constitutional Amendments Committee.

By Mr. Carswell—

A bill to provide when the Georgia pensioner shall have the vested right to transfer his pension.

Referred to the Pensions Committee.

By Mr. Carswell—

A bill to consolidate the six pension rolls into two divisions.

Referred to Pensions Committee.

By Messrs. Andrews and Heath—

A bill to amend Paragraph 1 of Article 7 of the Constitution of Georgia, regulating the powers of taxation by providing that the same may be exercised for the purpose of constructing State highways.

Referred to Constitutional Amendments Committee.

By Mr. Andrews--

A bill to create and establish the Georgia Council of Defense.

Referred to Committee on State of Republic.

By Mr. McCurry, by request—

A bill to amend the Acts establishing a Board of Osteopathic Examiners.

Referred to Committee of Hygiene and Sanitation.

The following Senate Bill was taken from the Committee on County and County Matters, read the second time and recommitted to said committee, to-wit:

By Mr. Denny—

A bill to repeal an Act of August 18, 1911, to pro-

vide uniformity in composition of Boards of Commissioners of Roads and Revenues of Floyd County.

Upon motion of Mr. Elders the Senate adjourned until Thursday, July 5, 1917, at 11 o'clock A. M.

SENATE CHAMBER, ATLANTA, GA.

Thursday, July 5, 1917

The Senate met pursuant to adjournment at 11 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names:

Andrews, W. P.	Elgers, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Osceola, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Bynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loftin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	McCurry, A. A.	Mr. President.
Edwards, Chas. H.	Merry, H. H.	

The Journal of Tuesday's session was read and confirmed.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has adopted the following resolutions of the House, to-wit:

A resolution relative to recent race riots in Illinois.

A resolution to provide for the appointment of a joint committee to inquire into the existing conditions of the State Archives.

A resolution to provide for the Government control of cotton and cotton products.

The following resolution was read and adopted by a two-thirds vote, to-wit:

By Mr. Elders—

Resolved by the Senate, That in addition to the standing committees now provided by the rules of the Senate, there shall be appointed General Judiciary Committee No. 1 and General Judiciary Committee No. 2. And that these two committees shall be in lieu of the committee previously known as the General Judiciary Committee.

Resolved further by the Senate, That there shall be a committee known as the Drainage Committee in addition to the other committees of the Senate.

The following Senate bill was taken from the Committee on Education, read the second time, and ordered recommitted to said committee, to-wit:

By Mr. Beck—

A bill to empower the State Superintendent of Schools, the Attorney-General, and the Chairmen of the Senate and House Committees on Education to codify the school laws.

The following Senate bill was withdrawn from the Committee on County and County Matters, read the third time and put upon its passage, to-wit:

By Mr. Denny—

A bill to repeal an Act to provide uniformity in the composition of Boards of Commissioners of Roads and Revenues in Floyd County.

Upon the passage of the bill the Ayes were 38 and Nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bills were read the first time, to-wit:

By Mr. Moore—

A bill to create a system of public schools for the City of Blackshear.

Referred to Committee on Education.

By Mr. Moore—

A bill to amend Section 4043 of the Code of 1910, relative to year's support.

Referred to Committee on General Judiciary No. 2.

By Mr. Davison—

A bill to amend Section 3298, Vol. 1, Code of 1910, relative to foreclosure of bills of sale.

Referred to Committee on General Judiciary No. 2.

By Mr. Dickerson—

A bill to provide for quicker execution of interrogatories.

Referred to Committee on General Judiciary No. 2.

By Mr. Moore—

A bill to amend the charter of the City of Black-shear.

Referred to Committee on Corporations.

By Mr. Hopkins, by request—

A bill to authorize and regulate the practice of chiropractic.

Referred to Hygiene and Sanitation Committee.

By Mr. Beck—

A bill to repeal an Act approved February 21, 1873, to establish a Board of Commissioners of Revenues, Roads, Bridges, &c., for the County of Murray.

Referred to Committee on County and County Matters.

By Mr. Heath—

A bill to provide for the execution of interrogatories in vacation.

Referred to Committee on General Judiciary No. 2.

By Mr. Elders—

A bill to amend Section 1517 of the Penal Code of 1910, relative to time of residence required in this State, for ex-Confederate soldiers to enter Confederate Soldiers' Home.

Referred to Committee on Pensions.

By Mr. Davison—

A bill to amend an Act to abolish the office of County Treasurer of Greene County.

Referred to Committee on Special Judiciary.

By Mr. Hopkins—

A bill to authorize the Railroad Commission of this State to abolish or safeguard grade crossings over public highways.

Referred to Committee on Railroads.

By Mr. DeJarnette—

A bill to amend Section 1534, Vol. 1, of the Code of 1910, relative to school tax of municipalities in school districts.

Referred to Committee on Education.

By Mr. McCurry—

A bill to fix the monthly salary of the Clerk in the Pension office at one hundred and fifty dollars per month.

Referred to Committee on Pensions.

By Mr. Moore—

A bill to amend an Act to incorporate the City of Blackshear.

Referred to Committee on Corporations.

By Mr. DeJarnette—

A bill to require counties having a health resort leased by the State, and possessing control over a non-navigable stream, as one of its boundary lines,

to build at least one substantial bridge across such stream.

Referred to Committee on Public Roads.

The following resolution of the House was taken up and adopted, to-wit:

By Mr. Davidson of Putnam—

A resolution to provide for the appointment of a joint committee of three from the House and two from the Senate whose duty it shall be to inquire at once into the condition of the State's Archives.

The President appointed the following committee, under the provisions of the above resolution, on part of the Senate:

Messrs. DeJarnette and Denny.

Upon motion of Mr. Denny the Senate adjourned until tomorrow morning at 11 o'clock.

SENATE CHAMBER, ATLANTA, GA.

Friday, July 6, 1917

The Senate met pursuant to adjournment at 11 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Hath, E. V.	Peacock, D. Roscoe.
Bynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Hamber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loftin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	McCurry, A. A.	Mr. President.
Edwards, Chas. H.	Merry, H. H.	

The Journal of yesterday's session was read and confirmed.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has adopted the following resolution of the House, to-wit:

A resolution endorsing the President of the United States and assuring him of the confidence

and support of the people of Georgia and the General Assembly of Georgia.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The speaker has appointed as a committee on the part of the House, raised under the resolution providing for a joint committee to examine the Archives, the following committee of the House:

MR. DAVIDSON, of Putnam.

MR. JONES, of Elbert.

MR. WRIGHT, of Floyd.

Under a suspension of the rules Mr. W. E. Floding, of Atlanta, appeared before the Senate, and extended an invitation to the Senators to be present at a general reception to be given the Woodmen of the World at the Auditorium next Tuesday night at 8 o'clock.

On motion of Mr. Andrews the invitation was accepted.

The following Senate bills were read the first time, to-wit:

By Mr. Denny—

A bill to amend an Act creating a new charter for the City of Rome.

Referred to Committee on Corporations.

By Messrs. Price and Andrews—

A bill to amend Section 2792, Vol. 1, of the Code

of 1910, relative to contracts for the conditional sale or lease of railroad stock.

Referred to Committee on Railroads.

By Mr. Blackwell—

A bill to provide for the regulation and control of fraternal benefit societies.

Referred to Committee on Insurance.

By Mr. Blackwell—

A bill to provide upon what conditions foreign and domestic fraternal benefit societies can issue benefit certificate to persons less than sixteen years of age.

Referred to Committee on Insurance.

By Mr. McCurry—

A bill to amend Section 925 of Criminal Code of 1910, so as to confer police powers upon conductors of freight trains.

Referred to General Judiciary Committee No. 2.

By Mr. Loftin—

A bill to repeal Section 3292 of the Code of 1910, which provides for notice to mortgagors in foreclosing mortgages.

Referred to General Judiciary Committee No. 2.

By Mr. Hopkins—

A bill to authorize national banks to act as trustees, executors, administrators and registrars of stocks and bonds.

Referred to Committee on Banks and Banking.

By Mr. Peacock—

A bill to provide for establishment of an Agricultural District School and Mechanic Arts in 12th Congressional District.

Referred to Committee on Education.

By Mr. Beck—

A bill to create a Board of Supervisors of Roads, Bridges and Road Funds for the County of Murray.

Referred to Committee on County and County Matters.

By Mr. Stevens—

A bill to provide for the collection of past due taxes.

Referred to Committee on Finance.

By Mr. Dickerson—

A bill to amend Paragraph 2, Section 1, Article 11 of the Constitution of Georgia, so as to create the new County of Atkinson.

Referred to Committee on Constitutional Amendments.

By Mr. Carswell—

A bill to amend an Act approved July 8, 1910, putting in force the Constitutional amendment providing for the payment of pensions to ex-Confederate soldiers.

Referred to Committee on Pensions.

The President announced the following as the standing committees of the Senate, to-wit:

Standing Committees of the Senate

ACADEMY FOR THE BLIND.

BEAUCHAMP, Chairman	DUKES, Vice-Chairman
Beck	Hopkins
DeJarnette	Hullender
Hendricks	Riner

AGRICULTURE.

GILMORE, Chairman	KIRBY, Vice-Chairman
Beck	Hullender
Blackwell	Leonard
Bynum	Mills
Council	Odom
DeJarnette	Price
Dickerson	Riner
Dykes	Stevens
Elders	Townsend
Hopkins	Yeoman

APPROPRIATIONS.

CARSWELL, Chairman	STEVENS, Vice-Chairman
Andrews	Peacock
Beauchamp	Price
Beck	Skelton
Dickerson	Weaver
Elders	Yeoman
Field	DeJarnette,
Gilmore	Member ex-officio
Hendricks	Denny,
Kirby	Member ex-officio
Mundy	

AUDITING.

HUMBER, Chairman	DYKES, Vice-Chairman
Blackwell	Merry
Ficklen	Redwine

BANKS AND BANKING.

REDWINE, Chairman	HUMBER, Vice-Chairman
Carswell	Loftin
Davison	Merry
Dickerson	Odom
Ficklen	Riner
Hendricks	

COMMERCE AND LABOR.

DYKES, Chairman	FIELD, Vice-Chairman
Andrews	Hopkins
Beck	Redwine
Elders	Wohlwender.

CONGRESSIONAL AND LEGISLATIVE
REAPPORTIONMENTS.

MOORE, Chairman	BROWN, Vice-Chairman
Andrews	Dykes
Beauchamp	Heath
Blackwell	Peacock
Denny	

CONSTITUTIONAL AMENDMENTS.

WOHLWENDER, Chairman	PEACOCK, Vice-Chairman
Andrews	Hendricks
Beauchamp	Humber
Beck	Logan
Bynum	Peacock
Dickerson	Price
Elders	Riner
Field	Weaver

CORPORATIONS.

SKELTON, Chairman	PEACOCK, Vice-Chairman
Brown	Hendricks
Bynum	Heath
Davison	Humber
Denny	Moore
Dykes	Weaver
Gilmore	

COUNTIES AND COUNTY MATTERS.

BECK, Chairman	MOORE, Vice-Chairman
Blackwell	Loftin
Council	Logan
Dukes	Price
Edwards	Redwine
Hullender	Stevens
Leonard	

DRAINAGE.

MOORE, Chairman	YEOMAN, Vice-Chairman
Carswell	Heath
Dickerson	Hendricks
Elders	Townsend

EDUCATION.

ELDERS, Chairman	LOFTIN, Vice-Chairman
Beauchamp	Hopkins
Beck	Humber
Brown	Kirby
Bynum	Leonard
Carswell	Merry
Council	Mills
DeJarnette	Skelton
Dickerson	Stevens
Gilmore	Wohlwender
Hendricks	

ENGROSSING.

FICKLEN, Chairman	RINER, Vice-Chairman
Beck	Leonard
Davison	Loftin
Dukes	Mills
Gilmore	

ENROLLMENT.

HULLENDER, Chairman	BROWN, Vice-Chairman
Edwards	Odom
Hendricks	Stevens
Kirby	Townsend
Merry	Logan
Moore	

FINANCE.

DEJARNETTE, Chairman	DENNY, Vice-Chairman
Blackwell	Mills
Bynum	Moore
Council	Mundy
Davison	Odom
Dykes	Redwine
Ficklen	Riner
Hopkins	Carswell,
Humber	Member ex-officio
Loftin	Stevens,
Merry	Member ex-officio

GAME AND FISH.

COUNCIL, Chairman	HOPKINS, Vice-Chairman
Andrews	Odom
Beck	Townsend
DeJarnette	Weaver
Dickerson	Wohlwender

GENERAL JUDICIARY NO. 1.

FIELD, Chairman	BYNUM, Vice-Chairman
Brown	Edwards
Carswell	Hopkins
Davison	Mundy
Denny	Skelton
Dukes	Townsend

GENERAL JUDICIARY NO. 2.

DICKERSON, Chairman	DAVISON, Vice-Chairman
Andrews	Merry
Elders	Moore
Heath	Peacock
Loftin	Weaver
Logan	Wohlwender

HALLS AND ROOMS.

YEOMAN, Chairman	PEACOCK, Vice-Chairman
Andrews	Price
Heath	

HYGIENE AND SANITATION.

HENDRICKS, Chairman	BEAUCHAMP, Vice-Chair'n
Dukes	Skelton
Dykes	Stevens
Odom	

INSURANCE.

BLACKWELL, Chairman	DAVISON, Vice-Chairman
Brown	Logan
Dukes	Mundy
Edwards	Peacock
Hullender	Yeoman

INTERNAL IMPROVEMENTS.

MILLS, Chairman
Hullender
Logan

MOORE, Vice-Chairman
Townsend

JOURNALS.

DUKES, Chairman
Carswell
Ficklen

MILLS, Vice-Chairman
Redwine

MANUFACTURES.

RINER, Chairman
Beauchamp
Brown
Dukes
Heath

YEOMAN, Vice-Chairman
Hullender
Kirby
Mundy
Skelton

MILITARY AFFAIRS.

PRICE, Chairman
Carswell
Council
Dykes
Hopkins

HEATH, Vice-Chairman
Leonard
Loftin
Peacock
Wohlwender

MINES AND MINING.

BROWN, Chairman
Blackwell
Bynum
Hullender

EDWARDS, Vice-Chairman
Humber
Logan
Mundy

PENITENTIARY.

MERRY, Chairman	BROWN, Vice-Chairman
Blackwell	Leonard
Davison	Logan
Dickerson	Mills
Dykes	Price
Edwards	Skelton
Elders	Townsend
Ficklen	Wohlwender
Hullender	Yeoman
Kirby	

PENSIONS.

LOFTIN, Chairman	LEONARD, Vice-Chairman
Carswell	Heath
Council	Hopkins
Ficklen	Humber

PRIVILEGES AND ELECTIONS.

DAVISON, Chairman	MERRY, Vice-Chairman
Beauchamp	Mundy
Brown	Skelton
Denny	Wohlwender
Heath	

PRIVILEGES OF THE FLOOR.

PEACOCK, Chairman	ELDERS, Vice-Chairman
Beauchamp	

PUBLIC LIBRARY.

LEONARD, Chairman	ODOM, Vice-Chairman
Dukes	Townsend
Field	

PUBLIC PRINTING.

LOGAN, Chairman	FIELD, Vice-Chairman
Dykes	Moore
Humber	Ficklen

PUBLIC PROPERTY.

ODOM, Chairman	MILLS, Vice-Chairman
Bynum	Gilmore
Ficklen	

PUBLIC ROADS.

KIRBY, Chairman	MOORE, Vice-Chairman
Blackwell	Hopkins
Brown	Heath
Carswell	Price
Ficklen	Weaver
Gilmore	Yeoman
Hendricks	

RAILROADS.

EDWARDS, Chairman	REDWINE, Vice-Chairman
Brown	Leonard
Denny	Merry
Dukes	Price
Field	Skelton
Humber	Townsend
Kirby	

RULES.

MR. PRESIDENT,	HEATH,
Ex-officio Chairman	Vice-Chairman
Andrews	Price
DeJarnette	Wohlwender
Elders	Yeoman
Kirby	

SCHOOL FOR THE DEAF.

DENNY, Chairman	MUNDY, Vice-Chairman
Beck	Loftin
DeJarnette	Peacock
Gilmore	

SPECIAL JUDICIARY.

WEAVER, Chairman	LOGAN, Vice-Chairman
Brown	Kirby
Dukes	Mundy
Edwards	Townsend
Field	Wohlwender

STATE OF THE REPUBLIC.

ANDREWS, Chairman	HUMBER, Vice-Chairman
Bynum	Price
Denny	Redwine
Gilmore	Stevens
Hopkins	Weaver
Kirby	Riner
Moore	DeJarnette
Mundy	

STATE SANITARIUM.

BYNUM, Chairman	BEAUCHAMP, Vice-Chair'n
Brown	Loftin
Dykes	Odom
Edwards	Price
Hendricks	Stevens
Hullender	Yeoman
Kirby	

TEMPERANCE.

HOPKINS, Chairman	GILMORE, Vice-Chairman
Beauchamp	Merry
Carswell	Mills
DeJarnette	Moore
Dickerson	Odom
Dykes	Redwine
Loftin	Stevens

TUBERCULOSIS SANITARIUM.

BEAUCHAMP, Chairman	BYNUM, Vice-Chairman
Logan	Moore
Edwards	Dukes
Hullender	Peacock

UNIVERSITY OF GEORGIA.

STEVENS, Chairman	KIRBY, Vice-Chairman
Beck	Heath
Carswell	Peacock
DeJarnette	Price
Elders	Skelton
Gilmore	Weaver

WESTERN AND ATLANTIC RAILWAY.

TOWNSEND, Chairman	HULLENDER, Vice-Chair'n.
Andrews	Merry
Beck	Mundy
DeJarnette	Odom
Denny	Stevens
Dickerson	Wohlwender
Gilmore	Yeoman
Heath	

Upon motion of Mr. Stevens the Senate adjourned
until Monday, July 9, 1917, at 11 o'clock A. M.

SENATE CHAMBER, ATLANTA, GA.

Monday, July 9, 1917.

The Senate met pursuant to adjournment at 11 o'clock a. m. and was called to order by the President.

Upon the call of the roll the following Senators answered to their names:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Bynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loftin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	McCurry, A. A.	Mr. President.
Edwards, Chas. H.	Merry, H. H.	

The Journal of Friday's session was read and confirmed.

An invitation from the Mayor and Council, Board of Trade, and Retail Merchants of Griffin, and others, was read inviting the General Assembly to be their guests at a barbecue dinner, to be given at the Ga. Experiment Station Wednesday, July 18, 1917.

Upon motion of Mr. Redwine the invitation was accepted.

The following Senate bill was withdrawn from the

Committee on Finance, read the second time and re-committed to said committee, to-wit:

By Mr. Odom—

A bill to fix the time when the State and County tax books shall close.

The following Senate Bills were withdrawn from the Committee on Corporations, read the second time and re-committed to said committee, to-wit:

By Mr. Denny—

A bill to amend an Act creating a new charter for the City of Rome.

By Mr. Moore—

A bill to amend the charter of the City of Blackshear.

By Mr. Moore—

A bill to amend an Act to incorporate the City of Blackshear.

The following Senate bill was withdrawn from the Committee on State of Republic, read the second time and re-committed to said committee, to-wit:

By Mr. Andrews—

A bill to create and establish the Georgia Council of Defense.

The following Senate bill was withdrawn from the Committee on Education, read the second time and re-committed to said committee, to-wit:

By Mr. DeJarnette—

A bill to amend Section 1534, Vol. 1 of the Code of 1910, relative to school tax.

The following Senate bills were withdrawn from the Committee on Insurance, read the second time, and recommitted to said committee, to-wit:

By Mr. Blackwell—

A bill to provide upon what conditions foreign and domestic fraternal benefit societies can issue benefit certificates to persons less than sixteen years of age.

By Mr. Blackwell—

A bill to provide for the regulation of fraternal benefit societies.

The following resolution of the Senate was taken from the Committee on General Judiciary No. 1, read the second time and recommitted to said committee, to-wit:

By Mr. Brown—

A resolution to provide for a speedy determination of an action entitled “State of Georgia, by its Attorney-General, complainant, versus Tennessee Copper Company, and Ducktown Sulphur, Copper and Iron Company, Limited,” defendants, &c.

The following Senate bill was withdrawn from the Committee on Education, read the second time and ordered recommitted to said committee, to-wit:

By Mr. Moore—

A bill to create a system of public schools in the City of Blackshear.

The following Senate bill was withdrawn, to-wit:

By Mr. Moore—

A bill to amend Section 4043 of the Code of Georgia relating to the return of appraisers appointed to set aside a year's support.

The following Senate bill was withdrawn from the Committee on Railroads, read the second time, and recommitted to said committee, to-wit:

By Messrs. Price and Andrews:

A bill to amend Section 2792, Vol. 1, of the Code of 1910, relative to contracts for conditional sale or lease of railroad stock.

The following Senate bills were read the first time, to-wit:

By Mr. Peacock—

To amend Section 5 of an Act to provide for the creation and operation of local tax district schools.

Referred to Committee on Education.

By Messrs. Olive, Price and others—

A bill to amend Paragraph 2, Section 2, Article 7 of the Constitution, so as to permit the exemption from taxation of college endowments when not invested in real estate.

Referred to Committee on Constitutional Amendments.

By Mr. Hopkins—

A bill to make it a misdemeanor for any man without just cause, to fail to support his wife, in destitute circumstances.

Referred to General Judiciary Committee No. 1.

By Mr. Dukes—

A bill to amend Section 5532 of the Civil Code so as to more effectually carry into effect Paragraph 1, Section XVII, Article VI of the Constitution so far as the same relates to civil cases.

Referred to General Judiciary Committee No. 1.

By Mr. Loftin—

A bill to accept for the Trustees of the University of Georgia, the Bowdon College in the Town of Bowdon, County of Carroll, as a branch of the University of Georgia.

Referred to Committee on University of Georgia.

By Mr. Council—

A bill to fix the salary of the Treasurer of Sumter County.

Referred to Committee on Counties and County Matters.

The following House resolutions were taken up and concurred in, to-wit:

By Mr. Pace, of Sumter—

A resolution endorsing the President of the United States and assuring him of the confidence and support of the people of Georgia.

By Mr. Wright of Floyd—

A resolution relative to recent race riots in Illinois.

The following House resolution was taken up, to-wit:

By Mr. Johnson, of Bartow—

A resolution relative to Government control of cotton and cotton products.

Mr. Denny offered the following amendment to the resolution, to-wit:

Amend by adding the following Section

4th. Be it further Resolved, That copies of this resolution be prepared at once and transmitted to the United States Senators and Congressmen from Georgia.

The amendment was adopted and the resolution as amended was concurred in.

In accordance with a written request signed by a majority of the members of the Committee on Constitutional Amendments, the President announced that he had added Mr. Peacock to the membership of said Committee.

Upon motion of Mr. Kirby the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.

Tuesday, July 10, 1917.

The Senate met pursuant to adjournment at 10 o'clock a. m. and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Bynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Hamber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loffin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	McCurry, A. A.	Mr. President.
Edwards, Chas. H.	Merry, H. H.	

Mr. Hopkins gave notice that at the proper time he would move to reconsider House Resolution No. 24.

By unanimous consent the reading of the Journal of yesterday's session was dispensed with.

Mr. Hopkins moved to reconsider the action of the Senate in the adoption of the following resolution of the House, to-wit:

By Mr. Wright of Floyd—

A resolution relative to recent race riots in Illinois.

. The motion was adopted and the resolution was reconsidered.

The resolution was tabled.

Mr. Mundy, of the 38th District, chairman of the Committee on Corporations, submitted the following report:

Mr. President:

Your Committee on Corporations has had under consideration the following bills of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend an Act to create and incorporate the City of Blackshear.

A bill to amend an Act to incorporate the City of Blackshear.

Respectfully submitted,

I. F. MUNDY,
Chairman.

Mr. Mundy, of the 38th District, chairman of the Committee on Corporations, submitted the following report:

Mr. President:

Your Committee on Corporations has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass as amended, to-wit:

A bill to amend an Act creating a new charter for the City of Rome.

Respectfully submitted,

I. F. MUNDY,

Chairman.

Mr. DeJarnette, of the 28th District, chairman of the Committee on Finance, submitted the following report:

Mr. President:

Your Committee on Finance has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with recommendation that the same do pass, to-wit:

A bill to repeal an Act approved August 17, 1912, to require all State House officers, county officers, etc., to make statements of fees received.

Respectfully submitted,

H. R. DEJARNETTE,

Chairman.

Mr. Andrews, of the 35th District, chairman of the Committee on State of the Republic, submitted the following report:

Mr. President:

Your Committee on State of the Republic has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, as amended by the Committee, to-wit:

Senate Bill No. 37 to establish the Georgia Council of Defense;

Also Senate Resolution No. 10, that same be reported back to the Senate with the recommendation that the same do pass.

Respectfully submitted,

WALTER P. ANDREWS,

Chairman Committee on the State of the Republic.

The following Senate bill was withdrawn from the Committee on Counties and County Matters, read the second time, and recommitted to said committee, to-wit:

By Mr. Edwards—

A bill to amend Section 1207 of Volume 2 of the Code of 1910, relative to the right of county authorities to contract for convict labor.

The following Senate bills were read the first time, to-wit:

By Mr. Council—

A bill to amend Sections 3 and 6 of an Act to amend, revise and consolidate the several Acts incorporating the town of Leslie.

Referred to Committee on Special Judiciary.

By Mr. Denny—

A bill to define and fix the age of consent.

Referred to General Judiciary Committee No. 1.

The following Senate Bill was read the second time, to-wit:

By Mr. Wohlwender—

A bill to repeal an Act to require all State House officers and county officers receiving fees, to keep an account and make statement of the same.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has concurred in the Senate Amendment to the following resolution of the House, to-wit:

A resolution on Government control of cotton and cotton products.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Andrews—

A bill to create and establish the Georgia Council of Defense.

Upon motion of Mr. Heath the consideration of the bill was postponed until next Thursday immediately after consideration of unanimous consents.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Moore—

A bill to amend an Act to incorporate the City of Blackshear.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 30 and nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Moore—

A bill to amend an Act to incorporate the City of Blackshear.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was taken up for a third reading, to be put upon its passage, to-wit:

By Mr. Denny—

A bill to amend an Act creating a new charter and municipal government for the City of Rome.

The report of the committee, which was favorable to the passage of the bill, as amended, was agreed to.

Upon the passage of the bill as amended the ayes were 30 and nays 0.

The bill having received the requisite constitutional majority was passed, as amended, and the amendments were as follows, to-wit:

The committee proposes to amend Section 3 by

adding between the words "provided" and "that" in line 8 of said Section the following words: "At the same time there shall be elected a City Recorder, City Attorney, and City Physician. At the first meeting of the city directory after the election they shall fix the salaries of each."

Amend Section 10 by striking from lines 5 and 6 of said section the following words: "City Attorney," "City Physician," "City Recorder."

The following Senate Resolution was taken up to be put upon its passage, to-wit:

By Mr. Andrews—

A resolution regarding the practice of holding and hoarding foods, &c.

Mr. Dukes moved to table the resolution and upon this motion the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Beauchamp, J. C.	Edwards, Chas. H.	McCurry, A. A.
Beck, E. H.	Elders, H. H.	Merry, H. H.
Carswell, Geo. H.	Ficklen, Boyce.	Gdom, J. C.
Council, M. B.	Gilmore, George.	Peacock, D. Roscoe.
DeJarnette, H. R.	Heath, E. V.	Redwine, C. D.
Denny, R. A.	Kirby, J. T.	Riner, M. T.
Dickerson, R. G.	Leonard, R.	Townsend, S. C.
Dukes, J. P.	Leftin, Frank S.	Wohlwender, Ed.

Those voting in the negative were Messrs.—

Andrews, W. P.	Hopkins, H. W.	Mundy, I. F.
Blackwell, F. M.	Hullender, W. C.	Price, H. H.
Brown, T. A.	Humber, R. T., Jr.	Stevens, C. O.
Eynum, T. L.	Logan, J. B. G.	Weaver, W. F.
Davison, James.	Mills, Joe Brown.	Yeoman, Sol. J.
Field, Alonzo.	Moore, J. B.	

Those not voting were Messrs.—

Hendricks, W. H. Dykes, J. R.

Ayes 24, nays 17

The motion was adopted and the resolution was tabled.

Upon motion of Mr. Stevens the Senate adjourned until tomorrow morning at 11 o'clock.

SENATE CHAMBER, ATLANTA, GA.

Wednesday, July 11, 1917.

The Senate met pursuant to adjournment at 11 o'clock a. m., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Elynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loftin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	McCurry, A. A.	Mr. President.
Edwards, Chas. H.	Merry, H. H.	

The Journal of yesterday's proceedings was read and confirmed.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Nelms:

Mr. President:

I am directed by His Excellency, the Governor, to deliver to the Senate two written communications under Seal, for which he respectfully asks the con-

sideration of your honorable body in executive session.

Mr. Beck, of the 43rd District, chairman of the Committee on Counties and County Matters, submitted the following report:

Mr President:

Your Committee on Counties and County Matters has had under consideration the following bills of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend Section 1207 of Volume 2 of the Code of 1910.

A bill to repeal an Act to establish a Board of Commissioners of Revenues, Roads, Bridges and Paupers for the County of Murray.

A bill to create a Board of Supervisors of Roads, Bridges, and Road Funds for the County of Murray.

A bill to fix the salary of the Treasurer of Sumter County.

Respectfully submitted,

E. H. BECK,

Chairman.

Mr. Blackwell, of the 39th District, chairman of the Committee on Insurance, submitted the following report:

Mr President:

Your Committee on Insurance has had under consideration the following bills of the Senate, and instructed me, as their chairman, to report the same

back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to provide upon what conditions foreign and domestic fraternal benefit societies can issue benefit certificates to persons less than sixteen years of age.

A bill to provide for the regulation and control of fraternal benefit societies.

Respectfully submitted,

F M. BLACKWELL,

Chairman.

Mr. Weaver, of the 23rd District, chairman of the Committee on Special Judiciary, submitted the following report:

Mr. President:

Your Committee on Special Judiciary has had under consideration the following Senate bills, and structed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

By Mr. Edwards of the 32nd—

A bill to repeal the Act creating the Board of County Commissioners of White County, and for other purposes.

By Mr. Edwards of the 32nd—

A bill to create a Board of Roads and Revenues for the County of White, and for other purposes.

W. F. WEAVER,

Chairman.

Mr. Field, of the 34th District, chairman of the

Committee on General Judiciary No. 1, submitted the following report:

Mr. President:

Your Committee on General Judiciary No. 1 has had under consideration the following bills of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend Section 5653 of the Code of 1910, so as to provide for the trial of cases marked "in default."

A bill to transfer the County of Camden from the Brunswick to the Waycross Judicial Circuit.

A bill to amend Section 5195 of the Code of 1910, relative to filing of a writ of certiorari.

A bill to repeal Sections 715 and 716 of Volume 2 of the Code of 1910.

Your Committee has also had under consideration the following bills of the Senate, and instructed me as their chairman to report the same back to the Senate with the recommendation that the same do not pass, to-wit:

A bill to repeal an Act to amend Section 2044 of the Code of 1910.

A bill to repeal an Act to repeal Sections 3438 and 3442 of the Code of 1910.

Respectfully submitted,

ALONZO FIELD,
Chairman.

Resolutions were adopted extending the privileges of the floor to Hon. Jos. S. Davis, U. S. Mar-

shal, Southern District of Georgia, and to Judge B. T. Rawlings, of Sandersville.

A communication was read from the State Board of Entomology in reference to their work in combating insects and diseases of the cotton plant.

A communication was read from George H. Richter of Savannah, Ga., enclosing a petition in re Chatham County Board of Education.

Referred to Committee on Education.

By unanimous consent the following Senate bill was withdrawn from General Judiciary Committee No. 1 and recommitted to General Judiciary Committee No. 2, to-wit:

By Mr. Elders—

A bill to regulate the issuance of marriage licenses.

The following Senate Bills were read the first time, to-wit:

By Mr. Weaver—

A bill to provide for two weeks' term of Superior Court of Taylor County, and to change time of holding Superior Court in Taylor, Harris, Marion and Muscogee Counties.

Referred to General Judiciary Committee No. 1.

By Mr. Moore—

A bill to amend an Act creating the City Court of Blackshear.

Referred to Special Judiciary Committee.

By Mr. Weaver—

A bill to amend Section 6068 of the Code of 1910 relative to granting orders for the sale of perishable property.

Referred to General Judiciary Committee No. 2.

By Mr. Townsend—

A bill to encourage the planting and cultivation of oysters.

Referred to Game and Fish Committee.

By Messrs. Pricé and Andrews—

A bill to relieve the property of tax-receivers from any lien prior to the execution against them for the payment of any taxes collected by them and for the failure of any official duty.

Referred to Committee on Finance.

By Mr. Beck—

A bill to amend Paragraph 1, Section 1, Article 1, of the Constitution so as to provide for recall elections.

Referred to Committee on Constitutional Amendments.

By Mr. Andrews—

A bill to fix the compensation for deputy sheriffs of the Superior and City Courts in counties having a population of 125,000 or more.

Referred to General Judiciary Committee No. 2.

By Messrs. Andrews and Elders—

A bill to provide for the payment of all wages due

manual, clerical and mechanical laborers, not including sawmill, farming or turpentine industries, at least twice a month.

Referred to Committee on Commerce and Labor.

The following Senate Bills were read the second time, to-wit:

By Mr. Brown—

A bill to amend Section 5195 of the Code of 1910, relative to the answer to a writ of certiorari.

By Mr. Carswell—

A bill to repeal Sections 715 and 716 of Volume 2 of the Code of 1910, relative to procuring money on contract for service, fraudulently.

By Mr. Brown—

A bill to amend Section 5653 of the Code of 1910, so as to provide for the trial of all cases marked in default.

By Mr. Beck—

A bill to repeal an Act to establish a Board of Commissioners of Revenues, Roads, Bridges and Paupers for the County of Murray.

By Mr. Beck—

A bill to create a Board of Supervisors, of Roads, Bridges and Road Funds for the County of Murray.

By Mr. Council—

A bill to fix the salary of the Treasurer of Sumter County.

By Mr. Edwards—

A bill to repeal the Act creating the Board of Commissioners of Roads and Revenues for White County.

By Mr. Townsend—

A bill to take the County of Camden from the Brunswick Judicial Circuit and add it to the Waycross Judicial Circuit.

By Mr. Edwards—

A bill to create a Board of Commissioners of Roads and Revenues for the County of White.

The consideration of the following Senate bill was postponed until next Thursday to follow the special order already set, to-wit:

By Mr. Wohlwender—

A bill to repeal an Act to require all State House and County officers receiving fees as compensation, to keep a record of the same.

The following Senate resolution was taken from the table, to-wit:

By Mr. Andrews—

A resolution regarding the practice of holding and hoarding foods and food stuffs.

The following Senate resolution was taken up to be put upon its passage, to-wit:

By Mr. Andrews—

A resolution regarding the practice of storing, holding and hoarding foods, food stuffs, etc.

Mr. Heath offered the following amendment, which was adopted, to-wit:

Add at the end of said resolution the following:

Resolved further, That the expense of the State under the terms of this resolution shall not exceed five hundred (\$500.00) dollars.

The report of the committee which was favorable to the resolution was agreed, as amended. Upon the passage of the resolution as amended, the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Ficklen, Boyce.	Merry, H. H.
Beauchamp, J. C.	Field, Alonzo.	Mills, Joe Brown.
Beck, E. H.	Gilmore, George.	Moore, J. B.
Blackwell, F. M.	Heath, E. V.	Mundy, I. F.
Brown, T. A.	Hopkins, H. W.	Odom, J. C.
Bynum, T. L.	Hullender, W. C.	Peacock, D. Roscoe.
Carswell, Geo. H.	Humber, R. T., Jr.	Price, H. H.
Council, M. B.	Kirby, J. T.	Riner, M. T.
Davison, James.	Leonard, R.	Stevens, C. O.
DeJarnette, H. R.	Loftin, Frank S.	Weaver, W. F.
Edwards, Chas. H.	Logan, J. B. G.	Yeoman, Sol. J.
Elders, H. H.	McCurry, A. A.	

Those voting in the negative were Messrs.—

Denny, R. A.	Dukes, J. P.	Townsend, S. C.
Dickerson, R. G.	Redwine, C. D.	

Those not voting were Messrs.—

Dykes, J. R.	Hendricks, W. H.	Wohlwender, Ed.
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Ayes 35; nays 5.

The resolution having received the requisite constitutional majority was passed as amended.

Upon motion of Mr. Andrews the above resolution

was ordered immediately transmitted to the House.

At 12:07 o'clock p. m. the Senate went into executive session.

The following Senate Bill was taken up for a third reading, to be put upon its passage, to-wit:

By Mr. Edwards—

A bill to amend Section 1207 of Volume 2 of the Code of 1910.

Upon motion of Mr. Edwards the consideration of the bill was postponed until Friday immediately after consideration of unanimous consents.

The following Senate bills were taken up for a third reading, and consideration of the same were postponed until July 18th, 1917, immediately after the consideration of unanimous consents.

By Mr. Blackwell—

A bill to provide upon what conditions fraternal benefit societies can issue benefit certificates to persons under sixteen years of age.

By Mr. Blackwell—

A bill to provide for the regulation and control of fraternal benefit societies.

The following resolution was read the first time, to-wit:

By Mr. Elders—

A resolution providing for a joint Committee of three from the Senate and five from the House to

visit the cotton experimental stations at Valdosta and Thomasville.

Referred to Committee on Agriculture.

Upon motion of Mr. Peacock the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.

Thursday, July 12, 1917.

The Senate met pursuant to adjournment at 10 o'clock a. m. and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Bynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loftin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	Merry, H. H.	Mr. President.
Edwards, Chas. H.		

The Journal of yesterday's session was read and approved.

Mr. Loftin, of the 37th District, Chairman of the Committee on Pensions, submitted the following report:

Mr. President:

Your Committee on Pensions has had under consideration the following bills of the Senate, and instructed me, as their chairman, to report the same

back to the Senate, with recommendation that the same do pass, to-wit:

A bill to provide when the Georgia pensioner shall have the vested right to transfer his pension.

A bill to consolidate the six pension rolls for which appropriations are made into two.

A bill to fix the salary of the clerk in the Pension office.

A bill to amend Section 1517 of the Penal Code of 1910.

A bill to amend an Act approved July 8, 1910, putting in force the Constitutional Amendment providing for the payment of pensions to ex-Confederate soldiers.

Respectfully submitted,

FRANK S. LOFTIN,

Chairman.

Mr. Edwards, of the 32nd District, Chairman of the Committee on Railroads, submitted the following report:

Mr. President:

Your Committee on Railroads has had under consideration the following bills of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to suspend the operation of Sections 415 and 416 of the Penal Code of Georgia, with reference to running of freight and passenger trains on the Sabbath, during the continuance of the present war only.

A bill to amend Section 2792 of Volume 1 of the Code of Georgia of 1910, so as to provide how contracts for the conditional sale or lease of railroad stock made without the State shall be executed.

Respectfully submitted,

C. H. EDWARDS,

Chairman.

The following minority report was submitted from the Committee on Railroads, to-wit:

Mr President:

The undersigned can not assent to the majority report of the Committee on Railroad, favorable to the passage of Senate Bill No. 39 which seeks to suspend a criminal statute of this State during the period of the war, which statute is designed to preserve the sanctity of the of the holy Sabbath, in so far as railroads are concerned, and respectfully beg leave to submit the following minority report.

This legislation is proposed and attempted to be justified as a war measure, and the only argument which the authors and supporters of the bill adduce is that the suspension of this criminal statute will bring relief to the people of this State with respect to the shortage of cars, the congestion of freights, and the consequent delay in the delivery of the same to consignees.

The first objection to this bill is that it proposes class legislation, justified by the present world crisis. It is just as necessary for the successful prosecution of the great conflict in which this great nation is now engaged for the establishment of democ-

racy throughout the world as against autocracy that the farmer should be permitted to pursue his ordinary calling on the Lord's Day, in order that he may produce and conserve the necessities of life and those things so essential and necessary for the support and maintenance of our armies at home and on the European battle fronts, and yet, no one can be found who is willing to extend the supposed benefits of the suspension of this criminal statute to the business of the great American farmer, whether he resides in Georgia or some other State of the Union.

What would be the opinion of the Christian world were the Legislature of Georgia to pass an Act suspending the operation of all of our criminal laws intended to maintain respect for the Lord's Day, by restraining all of our people from the pursuit of their ordinary calling on this holy day? It seems that there is a general tendency of the people of the United States to disregard the Sabbath Day and to treat it as any other day of the week. If the observance of the Sabbath as a holy day, as a day to be devoted to the worship of Almighty God and as a day of rest for man and beast, were not enjoined by Holy Writ, still the physical and mental demands and needs of mankind require and demand the setting aside of at least one day in seven for rest and recreation. It cannot be supposed that the employees of the railroads are demanding the passage of the bill. The Christian churches of this State are now beginning to protest against the passage of this useless and unnecessary legislation. Surely the members of this Senate should heed the earnest protest of the churches and decline to pass this measure.

The relief expected in the passage of this bill will not be realized.

There is no necessity for the passage of this measure. The statute sought to be suspended during the continuation of this great national crisis makes ample provision for the movement of all freight and passenger trains on the Sabbath day for the transportation of troops and supplies for our armies soon to be put in the field, as well as for the navy. Their transportation on the Sabbath day comes within the law of necessity, and such movement of troops and necessary army and navy supplies for the successful conduct of the war is covered by the provision of the sections of the criminal code, the operation of which temporarily the bill seeks to suspend.

The motives of the authors and supporters of this bill are not questioned by the undersigned. They do not propose this legislation in the interest of the railroads, but evidently believe that the adoption of the measure will relieve a most intolerable situation and give redress to a suffering and outraged people. And while this concession as to the high motives of the sponsors of this bill in the Senate is made, there is no sort of question with respect to the interest really behind this proposed legislation. It is the railroads of this State. They have long wanted such a law on our Statute books. On account of public sentiment and of the attitude of the Christian church it has been impossible to secure the passage of such legislation. They take advantage of a national crisis to accomplish their well laid plans. They take it for granted that the patriotism of the members

of the General Assembly will quiet their conscience and honest conviction. Notwithstanding the great prosperity which has come to the railroads in Georgia, due to the war, the railroads of this State have and are seeking successfully to cut out passenger schedules and reduce the number of passenger trains which they have been compelled as public service corporation to operate for the convenience and accommodation of the people of this State and are demanding the right to increase their freight rates on all the necessities of life, thus rendering the high cost of living still higher and higher, although these necessities have already reached a point at which it is impossible for many of the people of this State to obtain the bare necessities of life. It seems that thus far no relief from this high cost of the necessities of life has been vouchsafed to the people either by the National Government or of the State Governments. Under present conditions the producers of the country can derive no profit from their investments. Why should the great railroad corporations and capitalists class continue to draw dividends from their investments while the poor starve and the average man and real producer realize from their investment and labor barely enough to sustain life? Why should not the owners of fixed incomes and of railroad stocks and bonds contribute at least some part of their vast wealth to the support of the nation in this the greatest war in history? We have conscripted and are preparing to send across the seas millions of our precious boys who will freely give their young lives for this great country of ours

and in order that every part of the world may become a fit place in which to live. Then why not consecrate the wealth of this great country and consecrate it to the great purpose and object to which the mothers of our land have so freely given their sons? Let me close this minority report by quoting from the letter of our great President, issued yesterday, addressed to "My Fellow Countrymen," in which he says in part: "Patriotism leaves profit out of the question. In these days of our supreme trial, when we are sending hundreds of thousands of our young men across the seas to serve a great cause, no true man who stays behind to work for them and sustain them by his labor will ask himself what he is personally going to make out of that labor. No true patriot will permit himself to take toll of their heroism in money or seek to grow rich by the shedding of their blood. He will give as freely and with as unstinted sacrifice as they. When they are giving their lives, will he not give at least his money?"

For these reasons the undersigned protest against the passage of this bill, and trust that the report on the bill will be disagreed to.

Most respectfully submitted,

THOS. A. BROWN,

Member Com. on Railroads.

R. LEONARD,

Member Com. on Railroads.

By resolution, Hon. E. C. Collins, Judge of City Court of Reidsville, was invited to a seat upon the floor of the Senate.

A communication was read from the District Conference of Athens District, Methodist Episcopal Church, South, protesting against the passage of the bill of the Senate permitting freight trains to run on Sunday.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has adopted the following resolutions of the House, to-wit:

A resolution to require State House officials to file annual reports and to mail same to each member of the General Assembly.

A resolution to relieve the situation of Naval Stores.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The Speaker has appointed as a Committee on the part of the House, raised under a resolution to relieve Naval Stores, the following: Messrs. Stewart of Coffee, Akin of Glynn, Burkhalter of Tattnall, Burwell of Hancock, Pickren of Charlton.

The following resolution was read and adopted, to-wit:

By Mr. Stevens—

Whereas, we learn with deepest regret of the serious accident which befell our fellow Senator McCurry; be it

Resolved, That we extend to him our sincerest sympathy in this hour of his suffering and we earnestly hope for his speedy recovery.

By unanimous consent Senate Bill No. 4 was withdrawn from General Judiciary Committee No. 1 and referred to General Judiciary Committee No. 2.

By unanimous consent Senate Bill No. 11 was withdrawn from the General Judiciary Committee No. 1 and referred to General Judiciary Committee No. 2.

By unanimous consent Senate Bill No. 76 was withdrawn from General Judiciary Committee No. 1 and referred to General Judiciary Committee No. 2.

By unanimous consent Senate Bill No. 16 was withdrawn from the General Judiciary Committee No. 1 and referred to General Judiciary Committee No. 2.

The following Senate bill was withdrawn from the Committee on Commerce and Labor, read the second time and recommitted to said committee, to-wit:

By Messrs. Andrews, Mundy and others—

A bill to amend an Act creating the Department of Commerce and Labor.

The following Senate Bills were read the third time to be put upon their passage, to-wit:

By Mr. Beck—

A bill to repeal an Act to establish a Board of

Commissioners of Revenues, Roads, Bridges and Paupers for the County of Murray.

The report of the committee which was favorable to the passage of the bill was agreed to.

Upon the passage of the bill the ayes were 27 and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Beck—

A bill to create a Board of Supervisors of Roads, Bridges and Road Funds for the County of Murray.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 29 and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Edwards—

A bill to repeal the Act creating the Board of Commissioners of Roads and Revenues for White County. The report of the Committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 27 and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Edwards—

A bill to create a Board of Commissioners of Roads and Revenues for the County of White.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 26 and the nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Council—

A bill to fix the salary of the Treasurer of Sumter County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 30 and nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Townsend—

A bill to take Camden County from the Brunswick Judicial Circuit and add the same to the Waycross Judicial Circuit.

Mr. Townsend offered the following amendment, which was adopted, to-wit:

Moves to amend by adding a section after Section 3, to be known as Section 4 and numbering the remaining sections accordingly.

Section 4 to read as follows:

Section 4. That the present Solicitor General of the Brunswick Circuit shall perform all the duties and be entitled to all the emoluments of said office in Camden County until his present term of office expires.

The report of the committee, which was favorable to the passage of the bill, was agreed to, as amended.

Upon the passage of the bill as amended, the ayes were 29 and nays 0.

The bill having received the requisite constitutional majority was passed as amended.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Brown—

A bill to amend Section 5195 of the Code of 1910, so as to require the answer to a writ of certiorari to be filed five days before the first day of the term.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Brown—

A bill to amend Section 5653 of the Code of 1910, so as to provide for the trial of all cases marked "In default."

Mr. Denny offered the following amendment, which was adopted, to-wit: Amend Section 1 by inserting after the word "term" in 8th line the following: "Or, if suit upon an unconstitutional contract in writing shall be adjudicated by entry of judgment."

The report of the committee, which was favorable to the passage of the bill, was agreed to, as amended.

Upon the passage of the bill, as amended, the ayes were 26 and nays 2.

The bill having received the requisite constitutional majority was passed, as amended.

The following Senate bill, which was set as a special order, was taken up for a third reading, to be put upon its passage, to-wit:

By Mr. Andrews—

A bill to create and establish the Georgia Council of Defense.

The following amendments to the bill were read and adopted, to-wit:

The Committee proposes to amend by striking from Section second in the second line the word "fourteen" and substituting therefor the word "fifteen," and in striking from the fifth line of said section the word "nine" and substituting the word "ten." And by striking the whole of sub-section four in said section and substituting therefor the following words, to-wit:

"Two women to co-ordinate all women's activities

contemplated by this Act that they may be utilized to the best advantage in conjunction with the other efforts of Georgia in behalf of State Welfare and National Defense.”

Committee also proposes to amend by adding at the end of Section eleven (11) the following words, to-wit: “And to make such registration as may be deemed necessary or desirable to accomplish the ends herein sought.”

Committee also proposes to amend by adding at the end of Section twelve (12) the following words, to-wit: “As prescribed for punishment as for contempt in the Superior Courts of this State.”

By Messrs. Logan and Elders—

Amend Senate Bill No. 37 by adding at the end of Section 4 the words “not to exceed five hundred dollars.”

Further amend by adding to the end of Section six the words “not to exceed two thousand dollars.”

Mr. Heath offered a substitute to the bill and upon the adoption of the same, the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Carswell, Geo. H.	Heath, E. V.	Stevens, C. O.
Council, M. B.	Leonard, R.	Townsend, S. C.
Dukes, J. P.		

Those voting in the negative were Messrs.—

Andrews, W. P.	Brown, T. A.	Denny, R. A.
Beauchamp, J. C.	Bynum, T. L.	Dickerson, R. G.
Beck, E. H.	Davison, James.	Dykes, J. R.
Blackwell, F. M.	DeJarnette, H. R.	Edwards, Chas. H.

Elders, H. H.	Humber, R. T., Jr.	Mundy, I. F.
Ficklen, Boyce.	Kirby, J. T.	Odom, J. C.
Field, Alonzo.	Loftin, Frank S.	Peacock, D. Roscoe.
Gilmore, George.	Logan, J. B. G.	Price, H. H.
Hendricks, W. H.	Merry, H. H.	Redwine, C. D.
Hopkins, H. W.	Mills, Joe Brown.	Riner, M. T.
Hullender, W. C.	Moore, J. B.	Weaver, W. F.

Those not voting were Messrs.—

McCurry, A. A. Wohlwender, Ed. Yeoman, Sol. J.

Ayes 7; nays 33.

The substitute was lost.

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to as amended.

The bill was read the third time and upon its passage as amended. The ayes were 28 and nays 2.

The bill having received the requisite constitutional majority was passed as amended.

The following Senate bills were read the first time, to-wit:

By Mr. Davison—

A bill to declare the law of Escheats, when a wife or husband or adopted child, entitled as heir, dies intestate.

Referred to General Judiciary Committee No. 2.

By Mr. Edwards—

A bill to establish the City Court of Cleveland.

Referred to Special Judiciary Committee.

Upon motion of Mr. Andrews the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.

Friday, July 13, 1917

The Senate met pursuant to adjournment at 10 o'clock a. m. and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Bynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loftin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	Merry, H. H.	Mr. President.
Edwards, Chas. H.		

The Journal of yesterday's proceedings was read and confirmed.

Mr. Dickerson, of the 5th District, Chairman of the Committee on General Judiciary No. 2, submitted the following report:

Mr. President:

Your Committee on General Judiciary No. 2 has had under consideration the following bills of the Senate, and instructed me, as their chairman, to

report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to provide for the nomination of State officers in primary elections by the county unit plan.

A bill to provide for the registration of land titles.

A bill to provide for the execution of interrogatories in vacation.

A bill to repeal Section 3296 of the Code of 1910, in reference to the duty of Justice of Peace with whom the affidavit and mortgage are filed.

A bill to provide for two weeks' term of Superior Court of Taylor County and to change the time of holding the Superior Courts of Harris, Marion and Muscogee Counties.

A bill to amend Section 6068 of the Code of Georgia of 1910, so as to provide for granting by ordinary of orders for sale of perishable property, in certain cases.

Respectfully submitted,

R. G. DICKERSON,

Chairman.

Mr. Field, of the 34th District, Chairman of the Committee on General Judiciary No. 1, submitted the following report:

Mr President:

Your Committee on General Judiciary No. 1 has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass as amended, to-wit:

A bill to allow qualified voter to register and vote in a district other than that in which he resides when the voting precinct in such other district is nearer the residence of such voter.

Your Committee has also had under consideration the following Senate bill, which they instruct me as their chairman to report back to the Senate with the recommendation that the same do pass by substitute, to-wit:

A bill to provide for the collection of attorney's fees in real estate and chattel mortgages in certain cases.

Respectfully submitted,

ALONZO FIELD,

Chairman.

Mr. Gilmore, of the 20th District, Chairman of the Committee on Agriculture, submitted the following report:

Mr. President:

Your Committee on Agriculture has had under consideration the following resolution of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A resolution providing for a joint committee from the House and Senate, composed of three members from the Senate and five members from the House, to visit the Experiment Stations at Valdosta and Thomasville and report to the present session.

Respectfully submitted,

GEORGE GILMORE,

Chairman.

Mr. Elders, of the 2nd District, Chairman of the Committee on Education, submitted the following report:

Mr. President:

Your Committee on Education has had under consideration the following bills of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with recommendation that the same do pass, to-wit:

Senate Bill No. 47 to amend Section 1534 of Vol. 1 of the Code empowering municipalities or school districts, desiring to do so, to levy a larger tax for school purposes than the rest of the county.

Senate Bill No. 41 to create a system of public schools for the City of Blackshear.

H. H. ELDERS,
Chairman.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bill of the House, to-wit:

A bill to amend an Act incorporating City of Manchester.

The House has also adopted the following resolution of the House, to-wit:

A resolution extending an invitation to his Excellency, Gov. Catts, of the State of Florida, to address the General Assembly on Tuesday, July 17.

By unanimous consent Senate Bill No. 10 was re-committed to Committee on Counties and County Matters.

By unanimous consent Senate Bill No. 9 was withdrawn from the Committee on Appropriations and referred to the Committee on Constitutional Amendments.

By resolution, Hon. Dudley M. Hughes was invited to a seat upon the floor of the Senate during his stay in the city.

The following Senate Bills were read the first time, to-wit:

By Mr. Townsend, by request—

A bill to regulate the taking of shad from fresh waters of this State.

Referred to Committee on Game and Fish.

By Mr. Mills—

A bill to amend Section 1062 of the Penal Code by providing that it shall be obligatory upon the Judge to respect the recommendation of juries in reducing felony cases to misdemeanors.

Referred to General Judiciary Committee No. 2.

By Mr. Andrews—

A bill to prescribe the manner in which itinerant vendors shall be allowed to carry on business.

Referred to Finance Committee.

By Mr. Beck—

A bill to establish an Agricultural, Industrial and Normal College as a branch of the University of Georgia, at Spring Place.

Referred to Committee on University of Georgia.

By Mr. Elders—

A bill to further define the provisions of the Act known as the “Veazey Bill,” and to further define the duties of Superior Court Judges and Grand Juries with reference to visitation of hospitals, orphanages, &c.

Referred to General Judiciary Committee No. 2.

By Mr. Council—

A bill to provide for the protection of game birds and animals.

Referred to Game and Fish Committee.

By Mr. Mundy—

A bill to amend the Act creating a system of parole or conditional pardon.

Referred to Penitentiary Committee.

By Mr. Heath—

A bill to provide for the appointment of physicians, wardens, guards &c having charge of convicts.

Referred to Penitentiary Committee.

By Mr. Peacock—

A bill to amend Paragraph 2, Section 1, Article 11 of the Constitution of this State so as to create the new County of Treutlen.

Referred to Committee on Constitutional Amendments.

The following resolution of the House was taken up and adopted, to-wit:

By Mr. Stewart of Coffee—

A resolution to relieve the situation in the matter of Naval Stores, and to provide a joint committee to inquire into the same.

The President appointed the following Senators as members of the committee on part of the Senate: Messrs. Dickerson and Riner.

The following Senate bill was taken up for a third reading, to be put upon its passage, to-wit:

By Mr. Carswell—

A bill to repeal Sections 715 and 716 of Volume 2 of the Code of 1910, relative to procuring money on contract for services, fraudulently.

The report of the committee which was favorable to the passage of the bill was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Dickerson, R. G.	Merry, H. H.
Beck, E. H.	Dukes, J. P.	Mills, Joe Brown.
Blackwell, F. M.	Edwards, Chas. H.	Moore, J. B.
Brown, T. A.	Ficklen, Boyce.	Odom, J. C.
Bynum, T. L.	Field, Alonzo.	Riner, M. T.
Carswell, Geo. H.	Heath, E. V.	Townsend, S. C.
Council, M. B.	Hopkins, H. W.	Weaver, W. F.
Denny, R. A.	Leonard, R.	

Those voting in the negative were Messrs.—

Beauchamp, J. C.	Hendricks, W. H.	Peacock, D. Roscoe.
Davison, James.	Hullender, W. C.	Price, H. H.
DeJarnette, H. R.	Kirby, J. T.	Redwine, C. D.
Dykes, J. R.	Loftin, Frank S.	Stevens, C. O.
Elders, H. H.	Logan, J. B. G.	Yeoman, Sol. J.
Gilmore, George.		

Those not voting were Messrs.—

Humber, R. T., Jr.	Mundy, I. F.	Wohlwender, Ed.
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Ayes 23, nays 16.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Moore—

A bill to authorize the creation of a system of public schools in the City of Blackshear.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was withdrawn from the Committee on Special Judiciary, read the second time, and recommitted to said committee, to-wit:

By Mr. Edwards—

A bill to establish the City Court of Cleveland.

The following bill of the House was read the first time, to-wit:

By Messrs. Williams and Culpepper of Meriwether—

A bill to amend the charter of the City of Manchester.

Referred to Committee on Corporations.

The following resolution was read and adopted, to-wit:

By Messrs. Logan, Price, Andrews and Elders—

A resolution providing that when the Senate adjourn today it stand adjourned until 11 o'clock a. m. Monday, July 16, 1917.

The Senate adjourned until Monday at 11 o'clock a. m.

SENATE CHAMBER, ATLANTA, GA.

Monday, July 16, 1917

The Senate met pursuant to adjournment at 11 o'clock a. m. and was called to order by the President.

Prayer was offered by the Chaplain.

By unanimous consent the call of the roll was dispensed with.

Mr. Hopkins offered the following resolutions, which were read and adopted, to-wit:

Whereas, The Senate has learned with deep regret of the death of Hon. A. A. McCurry, the distinguished Senator from the 31st District.

Resolved first, That the President of the Senate appoint a committee of five (5) to draw up suitable resolutions in memory of his life and services, to be reported to the Senate at some future day.

Resolved second, That the President appoint a committee of eight (8) Senators to attend the funeral of the deceased Senator.

Resolved third, That as a mark of respect to the Hon. A. A. McCurry the Senate do now adjourn until tomorrow morning at 11 o'clock.

The President announced that he had appointed the following Senators as members of the committee to escort the remains of Hon. A. A. McCurry to Hartwell, Ga., to-wit: Messrs. Andrews, Gilmore, Heath, Logan, Weaver, Dukes, Elders, and Peacock.

The Senate adjourned until tomorrow morning at 11 o'clock.

SENATE CHAMBER, ATLANTA, GA.

Tuesday, July 17, 1917

The Senate met pursuant to adjournment at 11 o'clock a. m. and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Bynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loflin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	Merry, H. H.	Mr. President.
Edwards, Chas. H.		

Mr. Peacock gave notice that at the proper time he would move to reconsider Senate Bill No. 30.

The Journals of Friday, July 13th, 1917, and of yesterday were read and confirmed.

Mr. Peacock moved to reconsider the action of the Senate on last Friday, in passing the following Senate Bill, to-wit:

By Mr. Carswell—

A bill to repeal Sections 715 and 716 of Volume

2 of the Code of 1910, relative to procuring money on contract for services fraudulently.

Upon the motion to reconsider the bill the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Heath, E. V.	Mundy, I. F.
Beauchamp, J. C.	Hendricks, W. H.	Odom, J. C.
Beck, E. H.	Hullender, W. C.	Peacock, D. Roscoe.
DeJarnette, H. R.	Humber, R. T., Jr.	Price, H. H.
Eluers, H. H.	Kirby, J. T.	Redwine, C. D.
Ficklen, Boyce.	Loftin, Frank S.	Stevens, C. O.
Gilmore, George.	Logan, J. B. G.	Yeoman, Sol. J.

Those voting in the negative were Messrs.—

Blackwell, F. M.	Dukes, J. P.	Mills, Joe Brown.
Brown, T. A.	Dykes, J. R.	Moore, J. B.
Bynum, T. L.	Edwards, Chas. H.	Riner, M. T.
Carswell, Geo. H.	Field, Alonzo.	Tewnsend, S. C.
Council, M. B.	Fopkins, H. W.	Weaver, W. F.
Denny, R. A.	Leonard, R.	Wohlwender, Ed.
Dickerson, R. G.	Merry, H. H.	

Those not voting were Messrs.—

Davison, James.

Ayes 21, nays 20.

The motion prevailed and the bill was reconsidered.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Nelms, to-wit:

Mr President:

I am directed by His Excellency, the Governor, to deliver to the Senate a sealed communication, to

which he respectfully invites the consideration of your honorable body in executive session.

The following invitation was read and unanimously accepted by the Senate:

To The Senate:

Gentlemen:—I herewith take pleasure in extending to you a very cordial invitation to be my guests at a fish fry which I am giving to the General Assembly, the officers and attaches to both Houses, the State-house officers, and the members of the press, at five-thirty p. m. on the 26th inst., being Thursday week, at my country place on Peachtree Road, corner of Peachtree Road and Andrews Avenue. I am extending this invitation thus early in order that you may not have other engagements for that day. I trust that every member will favor me with his presence. We expect to have a great time. Please accept this as your personal invitation.

Yours very cordially,

WALTER P. ANDREWS.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr President:

Your Committee on Counties and County Matters has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recom-

mendation that the same do pass by substitute, to-wit:

A bill to amend Section 1207 of Volume 2 of the Code of 1910, giving county authorities the right to control the convict labor.

Respectfully submitted,

BECK, Chairman.

Mr. Andrews, of the 35th District, Acting Chairman of the Committee on Constitutional Amendments, submitted the following report:

Mr. President:

Your Committee on Constitutional Amendments has had under consideration the following bill of the Senate, and instructed me, as their acting chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to be entitled an Act to amend Paragraph 1 of Section 13, Article 6 of the Constitution of Georgia, the same being Senate Bill No. 9 by Mr. Hopkins of the 7th District.

WALTER P. ANDREWS,

Acting Chairman.

The following Senate Bills were read the first time, to-wit:

By Mr. Stevens—

A bill to provide for closing of lewd houses, assignation houses, etc.

Referred to General Judiciary Committee No. 1.

By Mr. Redwine—

A bill to prohibit the use for advertising purposes, of crossing signs erected by railroads.

Referred to Committee on Railroads.

By Mr. Moore—

A bill to provide for free text-books to children of first five grades of public schools.

Referred to Committee on Education.

By Mr. Blackwell—

A bill to repeal an act to incorporate Ball Ground School District in Cherokee County.

Referred to Committee on Education.

By Mr. Elders—

A bill to amend an Act to regulate the returns and assessment of property for taxation, approved August 14, 1913.

Referred to Committee on Finance.

By Mr. Bynum—

A bill to give the consent of the State to the making by Congress, of all rules and regulations needful in respect to game animals, game birds, fish, etc.

Referred to Committee on State of Republic.

By Mr. Peacock—

A bill to abolish fees accruing to the Solicitor-General of Oconee Judicial Circuit.

Referred to General Judiciary Committee No. 2.

By Mr. Gilmore—

A bill to provide for the grading of cotton seed meal.

Referred to Committee on Agriculture.

The following Senate Resolution was read the first time:

By Mr. Wohlwender—

A resolution providing for the destruction of certain wines, bequeathed by the late J. L. Hand, to the University of Georgia.

Referred to Temperance Committee.

The following resolutions of the House were read, to-wit:

By Mr. Howard, of Liberty—

A resolution requiring State House officers to file annual reports and to mail same to each member of the General Assembly before April 1st of each year.

Referred to Finance Committee.

By Mr. Bankston of Troup—

A resolution inviting Governor Catts of Florida to address the General Assembly on July 18th.

Laid on the table.

Upon motion of Mr. Hopkins the session was extended to permit the Senate to go into executive session.

At 12:55 o'clock p. m. the Senate went into executive session.

At the conclusion of the executive session the Senate adjourned until 10 o'clock tomorrow morning.

SENATE CHAMBER, ATLANTA, GA.

Wednesday, July 18, 1917

The Senate met pursuant to adjournment at 10 o'clock A.M., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Lynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loftin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	Merry, H. H.	Mr. President.
Edwards, Chas. H.		

By unanimous consent the reading of the Journal of yesterday's session was dispensed with.

Mr. Edwards, of the 32nd District, Chairman of the Committee on Railroads, submitted the following report

Mr President:

Your Committee on Railroads has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same

back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to prohibit the use for advertising purposes, of crossing signs erected by railroads.

Respectfully submitted,

C. H. EDWARDS, Chairman.

Mr. Stevens, of the 30th District, Chairman of the Committee on University of Georgia, submitted the following report:

Mr President:

Your Committee on University of Georgia has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend the Act establishing the Georgia School of Technology.

Respectfully submitted,

STEVENS, Chairman.

Mr. Wohlwender, of the 24th District, Chairman of the Committee on Constitutional Amendments, submitted the following report:

Mr. President:

Your Committee on Constitutional Amendments has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Senate Bill No. 32. A bill to be entitled an Act

to amend Paragraph two, Section one, Article eleven of this State.

Respectfully submitted,

WOHLWENDER, Chairman.

Mr. DeJarnette, of the 28th District, Chairman of the Committee on Finance, submitted the following report:

Mr. President:

Your Committee on Finance has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass by substitute, to-wit:

A bill to fix the time when State and County tax books shall close; when executions shall issue; provide for the payment of interest on State and County taxes unpaid and fixing the time when Tax-Collectors of the State shall make final settlements, etc.

Respectfully submitted,

H. R. DEJARNETTE, Chairman.

Mr. Weaver, of the 23rd District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr. President:

Your Committee on Special Judiciary has had under consideration the following bills of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Senate Bill No. 84. A bill to be entitled an Act

to establish a City Court in town of Cleveland, Ga., to define its jurisdictions and powers, etc.

Senate Bill No. 74. A bill to be entitled an Act to amend Sections 3 and 6 of the "Act to amend, revise and consolidate the several Acts granting corporate authority to the town of Leslie, approved August 21, 1911, and for other purposes.

Senate Bill No. 78. A bill to be entitled an Act to amend an Act approved August 15, 1911, creating City Court of Blackshear, as amended by an Act approved August 6, 1914, this amendment relating to the qualification of the Solicitor of the said City Court of Blackshear.

Respectfully submitted,

W. F. WEAVER, Chairman.

The following Senate Bill was read the first time, to-wit:

By Mr. Moore—

A bill to require commission merchants and others who sell agricultural products on a commission basis, to make sworn itemized reports.

Referred to Agriculture Committee.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has passed by the requisite constitutional majority the following Bills and Resolutions of the House, to-wit

A bill to repeal an Act to amend the charter of the City of Winder.

A bill to repeal an Act to amend the charter of the city of Winder.

A bill to repeal an Act incorporating the City of Winder.

A bill to repeal an Act to amend the charter of the City of Winder.

A bill to create a Board of Commissioners of Roads and Revenues for the County of Coffee.

A bill to require all political parties in Muscogee county to nominate their candidates for county offices by primary elections.

A bill to incorporate the town of Metasville.

A bill to amend an Act creating a Board of Commissioners of Roads and Revenues for Monroe County.

A bill to amend an Act to revise the Health Laws in certain counties.

A bill to authorize Rankin Realty Co., in the City of Columbus, to erect a rest room.

A bill to divide the City of Forsyth into six wards.

A resolution authorizing the appointment of a Committee to visit the Experiment Stations at Thomasville and Valdosta.

The following bill of the House was read the first time, to-wit:

By Mr. Stewart of Coffee—

A bill to create a Board of Commissioners of Roads and Revenues for the County of Coffee.

Referred to Committee on Counties and County Matters.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Blackwell—

A bill to provide upon what conditions, how and in what manner foreign and domestic fraternal benefit societies can issue certificate to persons less than sixteen years of age.

The report of the committee which was favorable to the passage of the bill was agreed to.

The bill was read the third time and upon its passage the ayes were 32 and nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate Bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Blackwell—

A bill to provide for the regulation and control of fraternal benefit societies.

The report of the committee which was favorable to the passage of the bill was agreed to.

The bill was read the third time and upon its passage the ayes were 28 and nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate Bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Edwards—

A bill to amend Section 1207 of Volume 2 of the Code of 1910, giving county authorities the right to contract convict labor.

The report of the committee, which was favorable to the passage of the bill, by substitute, was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Dickerson, R. G.	Gilmore, George.
Beauchamp, J. C.	Dukes, J. P.	Hullender, W. C.
Beck, E. H.	Dykes, J. R.	Leftin, Frank S.
Blackwell, F. M.	Edwards, Chas. H.	Mills, Joe Brown.
Brown, T. A.	Elders, H. H.	Peacock, D. Roscoe.
Bynum, T. L.	Ficklen, Boyce.	Price, H. H.
Carswell, Geo. H.	Field, Alonzo.	Riner, M. T.
DeJarnette, H. R.		

Those voting in the negative were Messrs.—

Council, M. B.	Leonard, R.	Stevens, C. O.
Denny, R. A.	Merry, H. H.	Townsend, S. C.
Heath, E. V.	Moore, J. B.	Weaver, W. F.
Hopkins, H. W.	Mundy, I. F.	Wohlwender, Ed.
Humber, R. T., Jr.	Odom, J. C.	Yeoman, Sol. J.
Kirby, J. T.	Redwine, C. D.	

Those not voting were Messrs.—

Davison, James.	Hendricks, W. H.	Logan, J. B. G.
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Ayes, 22; nays, 17

The bill having failed to receive the requisite constitutional majority was lost.

Upon motion of Mr. Heath the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.

Thursday, July 19th, 1917

The Senate met pursuant to adjournment at 10 o'clock A. M. and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Bynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loftin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	Merry, H. H.	Mr. President.
Edwards, Chas. H.		

Mr. Stevens gave notice that at the proper time he would move to reconsider Senate Bill No. 10.

By unanimous consent the reading of the Journal of yesterday's session was dispensed with.

Mr. Stevens moved that the Senate reconsider its action on yesterday in failing to pass the following bill of the Senate, to-wit:

By Mr. Edwards—

A bill to amend Section 1207 of Volume 2 of the

Code of 1910, giving county authorities the right to contract convict labor.

Upon the motion to reconsider, the ayes and nays were ordered, and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	DeJarnette, H. R.	Gilmore, George.
Beauchamp, J. C.	Dickerson, R. G.	Hullender, W. C.
Beck, E. H.	Dukes, J. P.	Loftin, Frank S.
Plackwell, F. M.	Dykes, J. R.	Logan, J. B. G.
Brown, T. A.	Edwards, Chas. H.	Mills, Joe Brown.
Bynum, T. L.	Elders, H. H.	Peacock, D. Roscoe.
Carswell, Geo. H.	Field, Alonzo.	Stevens, C. O.

Those voting in the negative were Messrs.—

Council, M. B.	Kirby, J. T.	Redwine, C. D.
Denny, R. A.	Leonard, R.	Riner, M. T.
Ficklen, Boyce.	Merry, H. H.	Townsend, S. C.
Heath, E. V.	Moore, J. B.	Weaver, W. F.
Hopkins, H. W.	Mundy, I. F.	Wohlwender, Ed.
Humber, R. T., Jr.	Odum, J. C.	Yeoman, Sol. J.

Those not voting were Messrs.—

Davison, James.	Hendricks, W. H.	Price, H. H.
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Ayes, 21; nays, 18.

The motion prevailed and the bill was reconsidered.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by substitute as amended by the requisite constitutional majority the following bill of the Senate, to-wit:

A bill to repeal an Act providing uniformity in the composition of Boards of Commissioners of Roads and Revenues for Floyd County.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has passed by the requisite constitutional majority the following bills of the House, to-wit:

A bill to repeal an Act creating a Board of Commissioners of Roads and Revenues of County of Coffee.

A bill to establish a new charter for the City of Winder.

A bill to amend an Act providing for a system of public schools for the City of Elberton.

A bill to amend an Act to provide for a system of Public Schools in the County of Jefferson.

A bill to incorporate the town of Lincolnton.

By unanimous consent Senate bill No. 78 was withdrawn.

The following communication was read and ordered entered upon the Journal, to-wit:

THE WHITE HOUSE,
Washington.

July 16, 1917.

My dear Mr. President:

May I not acknowledge the receipt of the generous resolutions passed by the General Assembly of Georgia? I do so with a deep feeling of gratitude. At this crisis of the nation's affairs it is of the greatest consequence to me and to all who are associated with me to have such loyal and unqualified support. Coming as these resolutions do from

a State in which I have myself lived, and with which I have myself been connected with many ties of affection, they seem like a message of old friends, and coming as they do at this particular time, they carry with them an unusual freight of hope and reassurance.

Will you not be kind enough to express to your colleagues of the Senate my grateful appreciation?

Cordially and sincerely yours,

(Signed)

WOODROW WILSON.

Hon. Samuel L. Olive, President,
The Senate,
Atlanta, Georgia.

Mr. DeJarnette, of the 28th District, Chairman of the Committee on Finance, submitted the following report:

Mr. President:

Your Committee on Finance has had under consideration the following resolutions of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A resolution to require State House officials to file annual reports and to mail same to each member of the General Assembly.

Respectfully submitted,
H. R. DEJARNETTE, Chairman.

Mr. Dykes, of the 14th District, Chairman of the Committee on Commerce and Labor, submitted the following report:

Mr President:

Your Committee on Commerce and Labor has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass as amended, to-wit:

A bill to amend an Act of the General Assembly approved August 18th, 1913, amending the Act creating the Department of Commerce and Labor approved August 21st, 1911, by striking out Section 2 of said amended Act and substituting therefor an entirely new Section defining the duties of said department and for other purposes.

Respectfully submitted,

J R. DYKES, Chairman.

Mr. Gilmore, of the 20th District, Chairman of the Committee on Agriculture, submitted the following report:

Mr President:

Your Committee on Agriculture has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Bill No. 101, a bill to be entitled an Act to provide for the grading, classification and branding according to grade or quality of cotton seed meal sold in this State, to provide a punishment for failure to properly brand and grade same and for other purposes.

GEO. GILMORE, Chairman.

Mr. Gilmore, of the 20th District, Chairman of the Committee on Agriculture, submitted the following report:

Mr. President:

Your Committee on Agriculture has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate with the recommendation that the same do pass, to-wit:

Bill No. 103, a bill to be entitled an Act to require commission merchants, other merchants, persons, firms or corporations, who sell agricultural products on a commission basis, to prescribe the way and punishment for violation of same and for other purposes.

GEO. GILMORE, Chairman.

The following Senate bills were read the first time, to-wit:

By Mr. Bynum—

A bill to prevent adulteration of turpentine, linseed and flax seed oil, etc.

Referred to Committee on General Judiciary No. 2.

By Mr. Dukes—

A bill to authorize the Railroad Commission to make the rates for gas and electric companies.

Referred to Committee on General Judiciary No. 2.

By Messrs. Peacock, Elders and others—

A bill to prevent chauffeurs from operating automobiles while in state of intoxication.

Referred to Public Roads Committee.

By Mr. Mundy—

A bill to enlarge the city limits of Rockmart.

Referred to Corporations Committee.

By Mr. Mundy—

A bill to prescribe indeterminate sentences.

Referred to General Judiciary Committee No. 1.

By Mr. Beck—

A bill to amend Section 2978 of Volume 1 of the Code of 1910, in reference to alimony.

Referred to General Judiciary Committee No. 2.

By Messrs. Elders, Humber and others—

A bill to amend Paragraph 2, Section 1, Article 11 of the Constitution of Georgia so as to create the new County of Wilson.

Referred to Committee on Constitution Amendments.

By Mr. Elders—

A bill to amend Paragraph 1, Section 3, of Article 3 of the Constitution so as to provide for representation in the General Assembly, of the County of Evans.

Referred to Committee on Constitutional Amendments.

The following Senate bills were withdrawn from the Committee read the second time and recommit-
ted, to-wit:

By Mr. Bynum—

A bill to give the consent of the State to such rules and regulations as the U. S. Government may deem needful in respect to game animals, birds, fish, etc.

Recommitted to Committee on State of Republic.

By Messrs. Olive, Price and others—

A bill to amend Paragraph 2, Section 2, Article 7 of the Constitution so as to permit the exemptions by the General Assembly of College endowments.

Recommitted to Committee on Constitutional Amendments.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Edwards—

A bill to establish the City Court of Cleveland.

The report of the committee which was favorable to the passage of the Bill was agreed to.

Upon the passage of the bill the ayes were 28, and nays 0.

The Bill having received the requisite Constitutional majority was passed.

The following House bill was withdrawn from the Committee on Counties and County Matters, read the second time and recommit-
ted to said committee, to-wit:

By Mr. Stewart of Coffee—

A bill to create a Board of Commissioners of Roads and Revenues for the County of Coffee.

The following House bills were read the first time, to-wit:

By Mr. Rainey of Barrow—

A bill to establish a new charter for the City of Winder.

Referred to Committee on Corporations.

By Mr. McCullars of Lincoln—

A bill to incorporate the town of Lincolnton.

Referred to Committee on Corporations.

By Mr. Rainey—

A bill to repeal an Act to amend the charter of the City of Winder.

Referred to Corporations Committee.

By Mr. Rainey—

A bill to repeal an Act to amend the charter of the city of Winder.

Referred to Corporations Committee.

By Mr. Rainey—

A bill to repeal an Act incorporating the City of Winder.

Referred to Corporations Committee.

By Mr. Taylor of Monroe—

A bill to amend an Act creating a Board of Commissioners of Roads and Revenues for the county of Monroe.

Referred to Committee on Counties and County Matters.

By Mr. Stewart of Coffee—

A bill to repeal an Act creating a Board of Commissioners of Roads and Revenues in Coffee County.

Referred to Committee on Counties and County Matters.

By Messrs. Swift, Neill and Hatcher—

A bill to require all political parties in Muscogee County to nominate their candidates by primary elections.

Referred to Committee on Privileges and Elections.

By Mr. Rainey—

A bill to repeal an Act to amend the charter of the City of Winder.

Referred to Committee on Corporations.

By Messrs. Anderson and Booker of Wilkes—

A bill to incorporate the town of Metasville.

Referred to Committee on Special Judiciary

By Mr. Jones of Elbert—

A bill to amend an Act providing for a system of public schools for the City of Elberton.

Referred to Committee on Special Judiciary.

By Messrs. Lawrence, Wylly and Eve of Chatham—

A bill to amend an Act to revise the health laws in counties of certain population.

Referred to Committee on Hygiene and Sanitation.

By Messrs. Swift, Neill and Hatcher—

A bill to grant the Rankin Realty Co., of the City of Columbus, the privilege of constructing a rest room in center of Broad Street, Columbus.

Referred to Committee on Corporations.

By Mr. Taylor of Monroe—

A bill to divide the City of Forsyth into six wards.

Referred to Committee on Special Judiciary.

By Mr. King of Jefferson—

A bill to provide for a system of public schools in the county of Jefferson.

Referred to Committee on Education.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Nelms, to-wit:

Mr. President:

I am directed by His Excellency, the Governor, to deliver to the Senate two sealed communications, to which he respectfully invites the consideration of your honorable body in executive session.

The following House resolution was taken up, to-wit:

By Mr. Howard—

A resolution requiring State House officials, who are required to file annual reports, to mail same to

members of the General Assembly on or before April 1st of each year.

Mr. Elders offered the following amendment which was adopted, to-wit:

Amend said resolution by inserting in same "June 1st" for "April 1st," wherever it appears.

The report of the committee which was favorable to the adoption of the resolution was agreed to, as amended.

The resolution as amended, was adopted.

The following resolution of the House was taken up, to-wit:

By Mr. Ellers of Tift—

A resolution authorizing the appointment of a committee of two from the House and one from the Senate to visit the Experiment Stations at Thomasville and Valdosta and make report of the same.

Upon the adoption of the resolution the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Dykes, J. R.	Logan, J. B. G.
Beauchamp, J. C.	Edwards, Chas. H.	Peacock, D. Roscoe.
Blackwell, F. M.	Elders, H. H.	Price, H. H.
Brown, T. A.	Gilmore, George.	Redwine, C. D.
Bynum, T. L.	Hopkins, H. W.	Riner, M. T.
Carswell, Geo. H.	Humber, R. T., Jr.	Townsend, S. C.
Council, M. B.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loftin, Frank S.	Yeoman, Sol. J.
Dukes, J. P.		

Those voting in the negative were Messrs.—

DeJarnette, H. R.	Kirby, J. T.	Odom, J. C.
Denny, R. A.	Merry, H. H.	Stevens, C. O.
Ficklen, Boyce.	Moore, J. B.	Wohlwender, Ed.
Heath, E. V.		

Those not voting were Messrs.—

Beck, E. H.	Hendricks, W. H.	Mills, Joe Brown.
Davison, James.	Hullender, W. C.	Mundy, I. F.
Field, Alonzo.		

Ayes, 25; nays, 10.

The resolution was adopted.

The President appointed Mr. Council as a member on part of the Senate, of the Committee above provided for.

The following Senate Bills were read the second time, to-wit

By Messrs. Andrews and Price—

A bill to amend the Act establishing the Georgia School of Technology.

By Messrs. Elders and Heath—

A bill to provide for nomination of State officers in primary elections.

By Mr. Elders—

A bill to provide for the registration of land titles.

By Mr. Hopkins—

A bill to amend Paragraph 1 of Article 13 of Article 6 of the Constitution, relative to salaries of Justices of Supreme Court, Judges of Court of Appeals and Judges of Superior Courts.

By Mr. McCurry—

A bill to fix the salary of the clerk in the Pension office.

By Mr. Gilmore (by request)—

A bill to provide for the grading of cotton seed meal.

Br. Mr. Heath—

A bill to provide for the execution of interrogatories in vacation.

By Mr. Weaver—

A bill to provide for two weeks' term of Superior Court of Taylor County and to change the time of holding the Superior Courts in Harris, Marion and Muscogee Counties.

By Mr. Ficklen—

A bill to allow qualified voters to vote in a precinct other than where they reside, in certain cases.

By Messrs. Beauchamp and Redwine—

A bill to suspend the operation of Sections 415 and 416 of Penal Code of Georgia, so as to allow the running of freight and passenger trains on the Sabbath, during the continuance of the present war, only.

Br Mr. Carswell—

A bill to amend an Act approved July 8, 1910, putting in force the Constitutional Amendment providing for the payment of pensions to ex-Confederate soldiers.

By Mr. Carswell—

A bill to consolidate the six pension rolls into two rolls.

By Mr. Council—

A bill to amend the charter of the town of Leslie.

By Mr. Beck (by request)—

A bill to amend Paragraph 2, Section 1, Article 11 of the Constitution, so as to create the new County of Cook.

By Mr. Elders—

A bill to amend Section 1517 of the Penal Code of 1910, regulating the entrance into the Confederate Soldiers' Home.

By Mr. Loftin—

A bill to repeal Section 3296 of the Code of 1910, in reference to notice to mortgagor in foreclosing mortgages.

By Mr. Brown—

A bill to provide for the collection of attorney's fees on real estate and chattel mortgages.

By Mr. Redwine—

A bill to prohibit the use for advertising purposes of crossing signs erected by railroads.

By Mr. Moore—

A bill to require commission merchants and others selling agricultural products on commission basis to make sworn itemized reports.

By Mr. Carswell—

A bill to provide when a pensioner shall have the vested right to assign his annual pension.

The following bill of the Senate was taken up

for a third reading to be put upon its passage, to-wit:

By Messrs. Andrews, Mundy and others—

A bill to amend an Act approved August 18, 1913, creating the Department of Commerce and Labor.

The report of the committee which was favorable to the passage of the bill as amended was agreed to.

Upon the passage of the bill as amended, the ayes were 21, and nays 14.

The bill having failed to receive the requisite Constitutional majority was lost.

At 12:20 o'clock P. M. the Senate went into executive session.

The executive session was dissolved, and upon motion of Mr. Moore the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.

Friday, July 20, 1917

The Senate met pursuant to adjournment at 10 o'clock A. M. and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names, to-wit:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Heath, E. V.	Feacock, D. Roscoe.
Bynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
DeJarnette, H. R.	Humber, R. T., Jr.	Stevens, C. O.
Denny, R. A.	Kirby, J. T.	Townsend, S. C.
Dickerson, R. G.	Leonard, R.	Weaver, W. F.
Dukes, J. P.	Loftin, Frank S.	Wohlwender, Ed.
Dykes, J. R.	Logan, J. B. G.	Yeoman, Sol. J.
Edwards, Chas. H.	Merry, H. H.	Mr. President.

Those absent were Messrs.—

Davison, James.

Mr. Andrews gave notice that at the proper time he would move to reconsider Senate Bill No. 1.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Andrews moved to reconsider the action of the Senate in failing to pass the following bill of the Senate, to-wit:

By Messrs. Andrews, Mundy and others—

A bill to amend an Act approved August 21st,

1911, creating the Department of Commerce and Labor.

Upon the motion to reconsider the ayes and nays were ordered, and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Edwards, Chas. H.	Mundy, I. F.
Beauchamp, J. C.	Elders, H. H.	Peacock, D. Roscoe.
Brown, T. A.	Field, Alonzo.	Redwine, C. D.
Bynum, T. L.	Gilmore, George.	Riner, M. T.
Carswell, Geo. H.	Heath, E. V.	Stevens, C. O.
DeJarnette, H. R.	Hullender, W. C.	Townsend, S. C.
Dukes, J. P.	Loftin, Frank S.	Weaver, W. F.
Dykes, J. R.	Logan, J. B. G.	

Those voting in the negative were Messrs.—

Beck, E. H.	Hopkins, H. W.	Mills, Joe Brown.
Denny, R. A.	Kirby, J. T.	Moore, J. B.
Dickerson, R. G.	Leonard, R.	Wohlwender, Ed.
Ficklen, Boyce.	Merry, H. H.	

Those not voting were Messrs.—

Blackwell, F. M.	Hendricks, W. H.	Price, H. H.
Council, M. B.	Humber, R. T., Jr.	Yeoman, Sol. J.
Davison, James.	Gdom, J. C.	

Ayes, 23; nays, 11.

The motion prevailed and the bill was reconsidered.

Mr. Mundy, of the 38th District, Chairman of the Committee on Corporations, submitted the following report:

Mr President:

Your Committee on Corporations has had under consideration the following bills of the Senate, and

instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to be entitled an Act to enlarge and extend the city limits of the City of Rockmart, and for other purposes.

I. F. MUNDY, Chairman.

Mr. Council, of the 13th District, Chairman of the Committee on Game and Fish, submitted the following report:

Mr. President:

Your Committee on Game and Fish has had under consideration the following bills of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Bill No. 79 to be entitled an Act to encourage the planting and cultivation of oysters in this State.

Bill No. 86 to be entitled an Act to regulate the taking of shad from the fresh waters of this State.

Bill No. 90 to be entitled an Act for the protection of game, birds and animals to this State.

M. B. COUNCIL, Chairman.

Mr. Wohlwender, of the 24th District, Chairman of the Committee on Constitutional Amendments submitted the following report:

Mr. President:

Your Committee on Constitutional Amendments has had under consideration the following bill of

the Senate, and instructed me, as their Chairman, to report the same back to the Senate, with recommendation that the same do pass, to-wit:

Senate Bill No. 61, a bill to be entitled an Act to propose to the qualified electors of this State an amendment to Paragraph 2, Section 1, Article 11, of the Constitution of the State of Georgia, as amended by the ratifications by the qualified electors of this State of the Acts approved July 19, 1904, July 31, 1906, July 30 and August 14, 1912, July 7, 17, 27 and August 11, 1914, and for other purposes.

Respectfully submitted,
ED. WOHLWENDER, Chairman.

Mr. Redwine, of the 26th District, Chairman of the Committee on Bank and Banking, submitted the following report:

Mr. President:

Your Committee on Banks and Banking has had under consideration the following bill of the Senate and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Bill No. 63, a bill to authorize National Banks located in this State to act as Trustees, Executors, Administrators and Registrars of Stock, etc.

Respectfully submitted,
REDWINE, Chairman.

— Mr. Mundy, of the 38th District, Chairman of the Committee on Corporations, submitted the following report:

Mr President:

Your Committee on Corporations has had under consideration the following House Bill of the Senate and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

An Act to grant Rankin Realty Co., and others in the City of Columbus, who may desire at their own expense, to erect a rest room in center of Broad Street, Columbus, Ga.

I. F. MUNDY, Chairman.

Mr. Gilmore, of the 20th District, Chairman of the Committee on Agriculture, submitted the following report:

Mr President:

Your Committee on Agriculture has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Bill No. 103, a bill to require commission merchants and other persons or corporations who sell agricultural products on commission basis to require sworn itemized reports of the sales, etc.

Respectfully submitted,

GEORGE GILMORE, Chairman.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitu-

tional majority the following bills of the Senate, to-wit:

A bill to amend an Act to incorporate the City of Blackshear.

A bill to amend an Act to incorporate the City of Blackshear.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitution majority the following bills of the House, to-wit:

A bill to amend an Act establishing the charter of the town of Hoschton.

A bill to repeal an Act to provide for the holding of four terms of Superior Court of Miller County.

A bill to provide for the holding of four terms a year of Superior Court for Monroe County.

A bill to amend an Act establishing the charter of the City of Carnesville.

A bill fixing rate of commutation tax in Banks County.

A bill to create the City Court of Miller County.

A bill to amend an Act creating a new charter for the City of Fort Gaines.

A bill to amend an Act to incorporate the City of Cuthbert.

A bill to provide for holding four terms of Superior Court in Coffee County.

A bill to fix the salary of Treasurer of Glascock County.

A bill to authorize the authorities of Savannah to close and convey a certain lane.

A bill to amend the charter of the town of Grayson.

A bill to amend an Act to incorporate the town of Wrens.

A bill to incorporate the town of Wrens.

A bill to fix the compensation of the Treasurer of Sumter County.

A bill to authorize the authorities of Savannah to close portion of Henry Street Lane.

A bill to create the office of Supervisor of Roads and Revenues for County of Bryan.

A bill to create a Board of Commissioners of Roads and Revenues for the County of Bryan.

A bill to amend an Act establishing a new charter for the City of Atlanta.

A bill to amend an Act establishing City Court of LaGrange.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Nelms, to-wit:

Mr. President:

I am directed by His Excellency, the Governor, to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

The President announced the appointment of Mr. Kirby as Chairman of the Committee on Public Roads, and Mr. Peacock as Vice-Chairman of the

Committee on Constitutional Amendments to fill the places of the late Senator McCurry

The following Senate bill was withdrawn from the Committee on General Judiciary No. 2, read the second time and recommitted to said committee, to-wit:

By Mr. Bynum—

A bill to prevent the adulteration of turpentine, linseed or flaxseed oil, etc.

The following Senate bill was withdrawn from the General Judiciary Committee No. 2, read the second time and recommitted to said committee, to-wit:

By Mr. Dukes—

A bill to authorize the Railroad Commission to enforce actual rates for electric and gas companies.

The following Senate bill was withdrawn from the General Judiciary Committee No. 1, read the second time and recommitted to said committee, to-wit:

By Mr. Wohlwender—

A bill to amend Section 5298 of Civil Code of 1910, in reference to garnishments.

The following Senate bill was withdrawn from the Committee on Public Roads, read the second time, recommitted to said committee, to-wit:

By Messrs. Andrews and Heath—

A bill to amend Section 431 of the Code, by providing that counties shall have authority to issue bonds for inter-county purposes.

The following Senate bills were read the second time, to-wit:

By Mr. Dickerson—

A bill to amend Paragraph 2, Section 1, Article 11 of the Constitution of Georgia so as to create the new county of Atkinson.

By Mr. Hopkins—

A bill to authorize National banks located in this State to act as trustees, executors, etc.

By Mr. Mundy—

A bill to enlarge and extend the city limits of Rockmart.

The following Senate bills were read the first time, to-wit:

By Mr. Beck—

A bill to amend an Act providing for the establishing of a Normal College at Valdosta.

Referred to Committee on University of Georgia.

By Mr. Hullender—

A bill to amend an Act to provide compensation for the members of the Board of Commissioners of Roads and Revenues for Catoosa County.

Referred to Committee on Counties and County Matters.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Wohlwender—

A bill to repeal an Act approved August 17th,

1912, to require all State House Officers and County Officers who receive fees, to keep a daily account of the same.

The report of the committee which was favorable to the passage of the bill was agreed to.

Upon the passage of the bill the ayes were 26, and nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was taken up for a third reading and on motion of Mr. Hopkins was tabled, to-wit:

By Mr. Hopkins—

A bill to amend Paragraph 1, Section 13, Article 6 of the Constitution of Georgia as the same relates to salaries of Judges of Supreme Court, Court of Appeals and of Superior Courts.

The following Senate bill was taken up for the purpose of acting on the amendments of the House, to-wit:

By Mr. Denny—

A bill to provide uniformity in the composition of Board of Commissioners of Roads and Revenues in Floyd County.

The House amendments were taken up and—

Mr. Denny offered the following amendments to the amendments of the House, which were adopted to-wit:

Amend the caption by inserting between the

word "members" and the words "the board" in the 5th line the word "of."

Amend Section 1 by inserting in the 11th line thereof, between the words "abolished" and "and the," the following words, "and the positions of all officers and employees holding under them are hereby vacated."

Amend Section 2 by inserting in the second line of Paragraph 1 thereof between the words "county" and "its" the words "setting forth," and amending the same line by inserting the word "and" after the word "condition," and amending further by inserting on the same line between the words "thereon" and "its" the words "and appraising." And amending further by inserting in the third line of Paragraph 1 thereof between the words "value and" and the word "proper" the words "recommending its."

Amend Section 2 by striking all of Paragraph 2nd after the word "county" in the second line.

Amend Section 2 by striking from Paragraph 3rd the words "to said board a system of book-keeping for the county and" where they occur in the first and second lines of said Paragraph 3rd.

Amend Section 2 by striking from the second line of Paragraphs 4th the words "and to said board."

Amend Section 2 by striking from the 21st and 22nd lines the words "and said Board of Commissioners."

Amend Section 4 of the substitute by inserting in the fifth line thereof between the words "State"

and "for" the words "to be held thirty days thereafter."

Amend Section 5 of said substitute by inserting in the first line thereof the word "that" between the words "aforesaid" and "except."

Amend Paragraph 2 of Section 6 of the substitute by adding at the end thereof the words "Provided, however, that the provisions shall not be construed as applying to the ordinary petty and running expenses appertaining to the county's affairs."

Amend Paragraph 2 of Section 6 of the substitute by striking the word "of" where it occurs between the words "article" and "property" in the fifth line of said Paragraph and inserting in lieu thereof the word "or."

The amendments of the House as amended were concurred in.

At 11:20 o'clock A. M., the Senate went into executive session.

The Executive session was dissolved.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Messrs. Andrews and Price—

A bill to amend the Act establishing the Georgia School of Technology, by conferring upon the local Board of Trustees authority to sell certain property held by said school.

Messrs. Price and Andrews offered the following amendment which was adopted, to-wit:

1. Amend Section 1 in the 4th line after the words "real property" by adding the following "as well as stocks."

2. Amend the caption by inserting in the 4th line thereof before the words "held by" the word "stock."

The report of the committee which was favorable to the passage of the bill was agreed to, as amended. The bill was read the third time and upon its passage as amended, the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed, as amended.

The following Senate bill was taken up for a third reading and upon motion of Mr. Brown consideration of the same was postponed until Wednesday, July 25th, immediately after unanimous consents, to-wit:

By Mr. Brown—

A bill to provide for the collection of attorney's fees on real estate and chattel mortgages.

The following Senate bill was taken up for a third reading and upon motion laid upon the table, to-wit:

By Mr. Ficklen—

A bill to allow voters to cast their ballots in a precinct other than the one where they reside, under certain circumstances.

Leave of absence was granted to Mr. Denny for next Monday and Tuesday.

Upon motion of Mr. Wohlwender, the Senate adjourned until Monday, July 23, 1917, at 11:15 o'clock A. M.

SENATE CHAMBER, ATLANTA, GA.,

Monday, July 23, 1917.

The Senate met pursuant to adjournment at 11:15 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names, to-wit:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Bynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Dickerson, R. G.	Leonard, R.	Weaver, W. F.
Dukes, J. P.	Loftin, Frank S.	Wohlwender, Ed.
Dykes, J. R.	Logan, J. B. G.	Yeoman, Sol. J.
Edwards, Chas. H.	Merry, H. H.	Mr. President.

Those absent were Messrs.—

Denny, R. A.

By unanimous consent the reading of the Journal of Friday's session was dispensed with.

The following invitation was read, to wit:

ATLANTA CHAMBER OF COMMERCE.

July 21, 1917

HON. SAMUEL OLIVE,

*President of the Senate,
Atlanta, Ga.*

Dear Sir:

On Thursday evening, August 2nd, the Atlanta

Chamber of Commerce will give a dinner at the East Lake Country Club in honor of the Governor of Georgia, the Presiding Officers of the Senate and the House and members of the General Assembly.

The Committee of Arrangements will provide automobiles for members of the Legislature at a suitable hour, the time and place of departure to be announced later.

We trust that the Atlanta Chamber of Commerce will be honored by the presence of yourself and the members of the Senate on this occasion.

Respectfully,

IVAN E. ALLEN, President.

W. G. COOPER, Secretary

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr. President:

Your Committee on Counties and County Matters has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to wit:

No. 102. To repeal an Act creating a Board of Commissioners of Roads and Revenues in Coffee County.

No. 213. To amend an Act creating a Board of Commissioners of Roads and Revenues for the County of Monroe.

No. 276. To create a Board of Commissioners of Roads and Revenues for the County of Coffee.

Respectfully submitted,

E. H. BECK, Chairman.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr. President:

Your Committee on Counties and County Matters has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate with the recommendation that the same do pass, to-wit:

No. 112. A bill to amend an Act entitled, "An Act to provide compensation for the Members of the Board of Commissioners of Roads and Revenues for Catoosa County.

Respectfully submitted,

E. H. BECK, Chairman.

Mr. Mundy, of the 38th District, Chairman of the Committee on Corporations, submitted the following report:

Mr President:

Your Committee on Corporations has had under consideration the following House Bill, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

House Bill No. 206 to incorporate the Town of Lincolnton.

I. F MUNDY, Chairman.

Mr. Mundy, of the 38th District, Chairman of the Committee on Corporations, submitted the following report:

Mr. President:

Your Committee on Corporations has had under consideration the following House Bill and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

House Bill No. 160, a bill to repeal an Act and amend the charter of the City of Winder, and for other purposes.

I. F. MUNDY, Chairman.

Mr. Mundy, of the 38th District, Chairman of the Committee on Corporations, submitted the following report:

Mr. President:

Your Committee on Corporations has had under consideration the following House Bill and instructed me, as their chairman, to report the same back to the Senate with the recommendation that the same do pass, to-wit:

House Bill No. 152, to repeal an Act to amend the Charter of the City of Winder, and for other purposes.

I. F. MUNDY, Chairman.

Mr. Mundy, of the 38th District, Chairman of the Committee on Corporations, submitted the following report:

Mr. President:

Your Committee on Corporations has had under consideration the following House Bill, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

To repeal an Act incorporating the City of Winder, No. 156.

I. F. MUNDY, Chairman.

Mr. Mundy, of the 38th District, Chairman of the Committee on Corporations, submitted the following report:

Mr. President:

Your Committee on Corporations has had under consideration the following House Bill, and instructed me, as their Chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

House Bill No. 155, a bill to repeal an Act to amend the charter of the City of Winder, and for other purposes.

I. F. MUNDY, Chairman.

Mr. Mundy, of the 38th District, Chairman of the Committee on Corporations, submitted the following report:

Mr. President:

Your Committee on Corporations has had under consideration the following House Bill, and instructed me, as their chairman, to report the same

back to the Senate, with the recommendation that the same do pass, to-wit

To establish a new charter for the City of Winder, Barrow county

I. F. MUNDY, Chairman.

Mr. Stevens, of the 30th District, Chairman of the Committee on University of Georgia, submitted the following report:

Mr President:

Your Committee on University of Georgia has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to establish a branch of the University of Georgia in North Georgia, as a branch of the University of Georgia.

Respectfully submitted,

STEVENS, Chairman.

Mr. Weaver, of the 23rd District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr President:

Your Committee on Special Judiciary has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

House Bill No. 173, a bill to amend an Act providing for a system of public schools for the city of Elberton.

House Bill No. 212, a bill to incorporate the town of Metasville, Wilkes County, etc.

House Bill No. 270, a bill to divide the city of Forsyth into six wards.

Committee recommends said House Bill No. 270 do pass as amended.

Respectfully submitted,

W F WEAVER, Chairman.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to-wit:

A bill to amend an Act to create the charter of Marietta.

A bill to amend an Act establishing the city court of Jesup.

A bill to amend an Act to incorporate the town of Leslie.

A bill to amend an Act to create a Recreation Commission for the city of Savannah.

By resolution, Hon. W S. Morris, ex-Senator from 18th District, was invited to a seat upon the floor of the Senate.

In accordance with a resolution previously adopted, the President appointed the following Senators as members of the Committee to prepare resolutions upon the life and services of the late Senator A. A. McCurry, to-wit:

Messrs. Stevens, DeJarnette, Merry, Brown and Peacock.

The following resolution was read and adopted, to-wit:

By Mr. Logan—

A resolution to pay the per diem of Hon. A. A. McCurry, to his widow.

Upon motion of Mr. Logan the above resolution was ordered immediately transmitted to the House.

The following Senate bill was withdrawn from the Committee on Education, read the second time, and recommitted to said committee, to-wit:

By Mr. Peacock—

A bill to provide for the establishment of an Agricultural District School in the 12th Congressional District.

The following Senate bills were read the first time, to-wit:

By Mr. Peacock—

A bill to prohibit trespassing upon the tracks, road-bed, and trains of common carriers.

Referred to Committee on Railroads.

By Mr. Elders (by request)—

A bill to submit to the qualified voters an amendment to the Constitution, so as to give women the right of elective franchise.

Referred to Committee on Constitutional Amendments.

By Messrs. Weavers and Andrews—

A bill to amend Section 1973, Volume 1, of the Code of 1910, as to salaries of State Geologist and assistants.

Referred to Committee on Appropriations.

By Mr. Andrews—

A bill to provide for the issue and levy of attachment in foreclosure of debt when due to secure payment of same has been given.

Referred to General Judiciary Committee, No. 1.

By Mr. Elders—

A bill to secure uniformity in size of bales of cotton.

Referred to Committee on Agriculture.

By Messrs. Weaver, Leonard and Wohlwender—

A bill to abolish the fee system now existing in the Superior Courts of the Chattahoochee circuit, as applied to the Solicitor-General.

Referred to Special Judiciary Committee.

By unanimous consent Senate Bill No. 36, was withdrawn, by the author.

The following House Bills were read the first time, to-wit:

By Mr. Ayers of Jackson—

A bill to amend the charter of the town of Hoschton.

Referred to Corporations Committee.

By Mr. Cook of Miller—

A bill to provide for holding four terms a year of the Superior Court of Miller County.

Referred to Special Judiciary Committee.

By Mr. Taylor of Monroe—

A bill to provide for holding four terms a year of the Superior Court of Monroe County.

Referred to Special Judiciary Committee.

By Mr. Bond of Franklin—

A bill to amend the charter of the town of Carnesville.

Referred to Corporations Committee.

By Mr. Cook of Miller—

A bill to amend an Act creating the city court of Miller County.

Referred to Special Judiciary Committee.

By Mr. Arnold of Clay—

A bill to amend the charter of the city of Fort Gaines.

Referred to Corporations Committee.

By Mr. Bower of Randolph—

A bill to amend an Act to incorporate the city of Cuthbert.

Referred to Corporations Committee.

By Mr. Stewart of Coffee—

A bill to provide for holding four terms a year of the Superior Court of Coffee County.

Referred to Special Judiciary Committee.

By Mr. Hardin of Glascock—

A bill to fix the salary of the treasurer of Glascock County.

Referred to Counties and County Matters Committee.

By Mr. Harden of Banks—

A bill to fix the rate of one dollar per day for commutation road tax in Banks County.

Referred to Counties and County Matters Committee.

By Messrs. Lawrence, Wylly and Eve—

A bill to authorize the authorities of the city of Savannah to close and convey a certain lane.

Referred to Special Judiciary Committee.

By Messrs. Kelley and Green of Gwinnett—

A bill to amend the charter of the town of Grayson.

Referred to Corporations Committee.

By Mr. King of Jefferson—

A bill to amend the charter of the town of Wrens.

Referred to Corporations Committee.

By Mr. King—

A bill to incorporate the town of Wrens.

Referred to Corporations Committee.

By Mr. Pace of Sumter—

A bill to fix the salary of the treasurer of Sumter County

Referred to Counties and County Matters Committee.

By Messrs. Lawrence, Eve and Wylly—

A bill to authorize the mayor and aldermen of the city of Savannah to close a portion of Henry Street Lane.

Referred to Special Judiciary Committee.

By Mr. Cason of Bryan—

A bill to create the office of Supervisor of Roads and Revenues for the county of Bryan.

Referred to Counties and County Matters Committee.

By Mr. Cason of Bryan—

A bill to create a Board of Commissioners of Roads and Revenues for the county of Bryan.

Referred to Counties and County Matters Committee.

By Messrs. Atkinson, White and Smith of Fulton—

A bill to amend the charter of the city of Atlanta.

Referred to Corporations Committee.

By Messrs. Wyatt and Bankston (by request)—

A bill to amend Section 4 of the Act establishing the City Court of LaGrange.

Referred to General Judiciary Committee No. 2.

By Messrs. Timmerman and Pace—

A bill to amend the charter of town of Leslie.

Referred to Corporations Committee.

By Messrs. Morris and Cheney of Cobb—

A bill to amend the charter of City of Marietta.

Referred to Special Judiciary Committee.

By Mr. Hatcher of Wayne—

A bill to amend the Act establishing the City Court of Jesup.

Referred to Special Judiciary Committee.

By Messrs. Eve, Wylly and Lawrence of Chatham—

A bill to amend an Act to create a Recreation Commission for the city of Savannah.

Referred to Special Judiciary Committee.

The following House Bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Stewart of Coffee—

A bill to create a Board of Commissioners of Roads and Revenues, for the county of Coffee.

The report of the committee which was favorable to the passage of the bill was agreed to.

Upon the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bills were read the second time, to-wit:

By Messrs. Council and Davison—

A bill to provide for protection of game, birds and animals.

By Mr. Hullender—

A bill to amend an Act to provide compensation for the members of the Board of Commissioners of Roads and Revenues for Catoosa County.

By Mr. Beck—

A bill to establish an Agricultural College in North Georgia as a branch of the University of Georgia.

By Mr. Townsend—

A bill to encourage the planting and cultivation of oysters, in this state.

By Mr. Townsend (by request)—

A bill to regulate the taking of shad from the fresh waters of this State.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Carswell—

A bill to provide when the Georgia pensioner shall have the vested right to transfer his annual pension.

Mr. Heath offered the following amendment which was adopted, to-wit:

Amend Section 1 by adding at the expiration thereof the following: “Provided further, that if any greater interest be accepted by any party advancing loan on such security, then the said transfer shall be null and void.”

The report of the committee which was favorable to the passage of the bill was agreed to, as amended.

Upon the passage of the bill as amended, the ayes were 33, and nays, 0.

The bill having received the requisite constitutional majority was passed, as amended.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House agrees to the Senate amendments to the House substitute to the following Senate bill, to-wit:

A bill to repeal an Act to provide uniformity in the composition of Boards of Commissioners of Roads and Revenues in Floyd County.

The following Senate bill was read the third time to be put upon its passage, to-wit:

By Messrs. Beauchamp and Redwine—

A bill to suspend the operation of Sections 415 and 416 of the Penal Code of Georgia, with reference to running of freight and passenger trains on the Sabbath, during the continuance of the present war only.

Pending the consideration of the bill the Senate, upon motion of Mr. Redwine, adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.

Tuesday, July 24, 1917

The Senate met pursuant to adjournment at 10 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names, to-wit:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odum, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Bynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Dickerson, R. G.	Leonard, R.	Weaver, W. F.
Dukes, J. P.	Loftin, Frank S.	Wohlwender, Ed.
Dykes, J. R.	Logan, J. B. G.	Yeoman, Sol. J.
Edwards, Chas. H.	Merry, H. H.	Mr. President.

Those absent were Messrs.—

Denny, R. A.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to-wit:

A bill to provide for the assurance, registration and transfer of land titles.

A bill to amend Section 6165 of the Code of 1910, relative to filing bond under Bills of Exception.

A bill to abolish office of treasurer of White County.

A bill to create the office of Supervisor of Roads and Revenues for the County of Bryan.

A bill to amend an Act creating charter of the city of Brunswick.

A bill to repeal an Act to abolish office of County Treasurer of Taylor County.

A bill to establish a Board of Commissioners of Roads and Revenues for Wilkes County.

A bill to abolish the Board of Commissioners of Roads and Revenues for County of Wilkes.

The House has adopted the following resolution of the House, to-wit:

A resolution to appoint a committee to examine the compilation of the State Constitution, prepared by Miss Thornton.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The Speaker has appointed as a committee on the part of the House, raised under the resolution to visit the Experiment Stations at Thomasville and Valdosta, the following members:

Messrs. Booker of Wilkes, Russell of Floyd.

The Speaker has appointed as a committee on the

part of the House, raised under the resolution to examine the compilation of the State Constitution, the following members:

Messrs. Burwell of Hancock, Smith of Washington.

Mr. Gilmore, of the 20th District, Chairman of the Committee on Agriculture, submitted the following report:

Mr President:

Your Committee on Agriculture has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

No. 119, a bill to secure uniformity in size of bales containing cotton and cotton linters, and to fix the maximum size of all gin boxes operated by ginner, etc.

Respectfully submitted,

GEO. GILMORE, Chairman.

Mr. Field, of the 34th District, Chairman of the Committee on General Judiciary No. 1, submitted the following report:

Mr President:

Your Committee on General Judiciary No. 1 has had under consideration the following resolution of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do not pass, to-wit:

A resolution to provide for a speedy determination of an action entitled "State of Georgia by its Attorney-General, Complainant, versus Tennessee Copper Co. and Ducktown Sulphur, Copper and Iron Co., Limited," defendants, etc.

Your committee has also had under consideration the following bill of the Senate, which I am instructed to report back to the Senate with the recommendation that the same do pass, by substitute, to-wit:

A bill to amend Section 5298 of Civil Code of 1910, in refernece to garnishments.

Respectfully submitted,

ALONZO FIELD, Chairman.

The following minority report from the Committee on General Judiciary No. 1 was submitted, to wit:

Mr President:

Representing the people of the 41st Senatorial District of this State, composed of the counties of Fannin, Gilmer and Pickens, three of the counties affected by the gases generated by the operation of the Tennessee Copper Company, located just across the State line, relief from damages thus inflicted by this great foreign corporation upon the farmers and timber owners of these counties is sought by joint Resolution No. 11. Having been elected to the Senate as a democrat in a district having a republican majority of more than 700, by a majority of 497, upon a positive pledge made in writing, that if elected I would introduce and advocate the passage of such a joint resolution, the undersigned can not agree to

the report of General Judiciary Committee No. 1 of the Senate, that said resolution do not pass, and beg leave to file the following minority report, and respectfully ask that the same be entered upon the Journal of the Senate, both as a minority report, and as the protest of the people of the district which the undersigned has the honor to represent in this body, against the action of the majority of your Committee on General Judiciary No. 1 in so reporting said joint resolution back to the Senate, and shall ask at the proper time that the Senate disagree to said majority report.

The repeal of the resolutions passed by the General Assembly of Georgia in 1913 and 1916 and the speedy determination of the case of the State of Georgia vs. Tennessee Copper Company, now pending in the Supreme Court of the United States, which is sought by joint Resolution No. 11, and is advocated by the undersigned upon a number of grounds, some of which are herein stated.

1. It is earnestly contended that each of said resolutions is unconstitutional. The passage of said resolutions, the effect of which was to direct the Attorney-General to continue said case in the Supreme Court of the United States for a term of three years, and again for another term of three years, was the grant by the General Assembly of a mere donation or gratuity, which is inhibited by the Constitution of this State. Therefore, both of said resolutions are absolutely void, and the State is not bound by any contract which it entered into by virtue of either of said resolutions. The action, which said resolu-

tions directed the Attorney-General to continue, is founded in the right of the sovereignty of the State, and the provisions of such resolutions for the payment of the individual claims of citizens of Georgia out of funds furnished by the defendant in such action for damages inflicted on such individual by the operation of its smelting plants is no payment to the sovereign.

2. It is further contended that the passage of each of said resolutions was procured by fraud and deceit practiced upon the General Assembly, and that, therefore, the State is not bound by any contract entered into with Tennessee Copper Company, under and by virtue of said resolutions. The evidence of the allegations here made is demonstrated by the provisions of said resolutions, when it is understood that the terms used therein are technical, and can only be understood by an expert. It is now admitted by the special counsel of the defendant company that he does not understand the meaning of that provision in the original resolution which states that the defendant company from April 10 to October 1 in each year shall not operate a greater number of green ore furnaces than is necessary to operate the acid plants of the company at their normal full capacity, but that somebody did understand their meaning. The undersigned presumes that that somebody is the expert of the Copper Company under whose directions this part of the original resolution was framed; he does not presume that the General Assembly understood the technical terms of these resolutions at the time of

their passage, the members thereof not being engaged in the business of smelting copper having a sulphur content of more than 26 per cent. and the diffusion of gases in the process of smelting or the reduction of such sulphur content into sulphuric acid. Another instance or proof of this contention is to be found in the provisions of the original resolution directing the defendant company to make a report to the Governor at such times as he may direct, which report is only required to show the amount in tonnage of green ore smelted and the amount in tonnage of acid made therefrom. Of what value is such information to the State? The important thing for the State and its people to ascertain is not only the amount of green ore smelted and acid made therefrom daily, weekly, and monthly and yearly, but the sulphur content of such green ore smelted, the sulphur recovered, the amount allowed to escape into the air in the form of sulphur dioxide, and the per centum of the amount thus allowed to escape with respect to the amount recovered in the operation of the company's acid plants. If the resolutions provided that the reports of the company to the Governor should contain this information, any citizen, however inexpert, could know whether the company was bona fide complying with the terms of the resolution which prevented the Supreme Court from entering the same form of decree which it entered in the case of the other defendant, Ducktown Sulphur, Copper & Iron Co. (Ltd.), in May, 1916.

3. It was also represented to the General Assembly at the time of the passage of these resolutions

that to operate only such number of green ore furnaces as would enable the company to operate their acid plants at their normal full capacity no sulphur in the form of sulphur dioxide would escape into the air. The report of Mr. Stallings made to Governor Harris on September 2, 1916, based upon the investigation of Mr. Wilson of his department, shows that under the terms of these resolutions the Tennessee Copper Company was recovering 167 tons daily of the sulphur content of the green ores smelted and from which they produced acid while it was for the same period allowing to escape into the air of 88.12 tons of sulphur, equal to 198.24 tons, daily, of sulphur dioxide; said report showing that 65 tons of this 88.12 tons of sulphur were from leakage from smelter furnaces in operation. These are the facts shown by this report made upon investigations by an expert, under the direction of Governor Harris, although the Hon. J. J. Brown, the present Commissioner of Agriculture, who is and has been for more than three years the champion and friend of this great corporation, stated publicly that during the three years he was the inspector appointed by the Governor that no sulphur content of the green ore smelted by Tennessee Copper Company was allowed to escape into the air. But in justice to Mr. Brown it must be stated that he admitted as publicly that he is, and, of course, was not during this period an expert.

4. It is further contended that Tennessee Copper Company has not bona fide complied with and performed the terms of its contract with the State. This

is proven by the admitted fact that in 1913 it produced nearly 180,000 tons of acid, while in 1914 its production was a little over 200,000 tons, for 1915, 212,000, while in 1916 it dropped to 181,000 tons. For these and any other reasons the undersigned urged the passage of Joint Resolution No. 11, but to no avail, it seems.

In May, 1907, the Supreme Court of the United States solemnly determined that the State of Georgia was entitled to relief against these great foreign corporations, and that after the said companies had had a reasonable time in which to install sulphuric acid plants for the manufacture of sulphuric acid and in order to save harmless the farmers of Georgia from the operation of their plants, such appropriate relief would be granted upon the application of the State. After ten years have elapsed which have wearied the patience of the people of the affected territory, this great foreign corporation is taking no more care of its poisonous fumes and gases than it was seven years ago. Rather than spend some of its enormous profits, derived from the operation of its plants, in the construction of acid plants of sufficient size and capacity to recover all of the sulphur content of the green ore smelted by it, it prefers to appeal to this General Assembly for that relief which its paid lobbyists admit the Supreme Court of the United States will deny to them upon a hearing of the case upon its merits. Is it not strange that the Tennessee Copper Company has never been denied any of its demands by the State of Georgia within the last six years, while the appeal

of the citizens of Georgia residing in the affected territory has invariably fallen on deaf ears? Is it not also remarkable that with three exceptions every State official having to do with the matter in hand has been friendly to the defendant company rather than with the people of his State. When the people of my section asked Governor Harris to remove J. J. Brown as umpire of the arbitration board, the Governor answered our appeal by removing Mr. Griffith who had consistently voted to pay the claims of the farmers, retaining Brown who had voted almost invariably with the employe and arbitrator of the defendant company. Governor Smith, Attorneys-General Felder and Walker are the three officials who have always proved themselves in sympathy with our people. As a representative of my section I have made the best fight of which I am capable. I have put it up to the Senate of Georgia. It is all that I can do. I feel that I have performed my duty to my people and kept faith with them in an honest and fearless effort to vindicate their rights as citizens of this commonwealth, and when my term of office shall have ended and I shall quit these halls I shall return to them my commission, feeling that I have been faithful to the trust reposed in me by my people.

All of which is respectfully submitted.

THOS. A. BROWN,

Senator, 41st District, and Member Committee on
General Judiciary No. 1.

Mr. Elders, of the 2nd District, Chairman of the Committee on Education, submitted the following report:

Mr President:

Your Committee on Education has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Senate Bill No. 8, of Senator Beck of the 43rd District, to create a commission to codify the school laws of our State.

H. H. ELDERS,
Chairman Committee on Education.

Mr. Elders of the 2nd District, Chairman of the Committee on Education, submitted the following report, to-wit:

REPORT OF COMMITTEE ON EDUCATION.

Mr President:

Your Committee on Education having had under consideration the Memorial of Mr. Geo. H. Richter, of Savannah, Georgia, beg leave to make the following report:

Your committee first considered said Memorial, and decided that it was of enough importance to our State to have a hearing on the same, and notified both sides in the city of Savannah, and on July 23, 1917, heard said Memorial and the same was supported on said hearing by Mr. Richter and opposed by the Board of Education of Chatham County, by Judge Samuel B. Adams, President of said Board of Education, and also the local delegation from said county in the House.

Your committee found that said Memorial covered four questions concerning the cause of education in Chatham County.

1. That said Memorial opposed the union of two Catholic schools in said County with the Board of Education of said County by receiving funds from said board, and we found that said board had discontinued this practice.

2. That said Memorial objected to the meetings of said board being held secretly, and we found this had been discontinued by the reporters of the press being admitted to said meeting.

3. That said Memorial objected to the illegal levy and collection of taxes for public schools in Chatham County, and we found this had been remedied by law and by an election, and that said taxes are now legally levied and collected.

4. That said Memorial objected to the Board of Education of Chatham County being self perpetuated, and that said board should be elected by the vote of the people, and the local delegation from said County opposing the same, your committee referred this question to the local delegation from Chatham County in the House and in the Senate, to take such action as they might wish.

This report is respectfully submitted.

H. H. ELDERS,
Chairman Committee on Education.

Mr. Hullender, of the 44th District, Chairman of the Committee on Enrollment, submitted the following report:

Mr. President:

Your Committee on Enrollment report as duly enrolled and ready for the signature of the President of the Senate and Speaker of the House of Representatives the following Acts, to-wit:

An Act to amend an Act to create and incorporate the City of Blackshear.

An Act to amend an Act to incorporate the City of Blackshear.

Respectfully submitted,

W. C. HULLENDER, Chairman.

Mr. Hullender, of the 44th District, Chairman of the Committee on Enrollment, submitted the following report:

Mr. President:

Your Committee on Enrollment report as duly signed by the President of the Senate and Speaker of the House of Representatives, and delivered to the Governor, the following Acts, to-wit:

An Act to amend an Act to create and incorporate the City of Blackshear.

An Act to amend an Act to incorporate the City of Blackshear.

Respectfully submitted,

W. C. HULLENDER, Chairman.

Mr. Kirby, of the 36th District, Chairman of the Committee on Public Roads, submitted the following report:

Mr. President:

Your Committee on Public Roads has had under

consideration the following bills of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do not pass, to-wit:

No. 12, a bill to be entitled an Act to require all motor vehicles to come to a full stop before crossing any railroad track, to provide a punishment for violation of this Act, and for other purposes.

Bill No. 40, by Messrs. Andrews and Heath.

Your committee has also had under consideration Senate Bill No. 40, and instructed me, as their chairman, to report the same back to the Senate, with recommendation that the same do pass.

A bill to amend Section 431 of Code by providing that counties shall have authority to issue bonds for inter-county improvements, and for other purposes.

KIRBY, Chairman.

Mr. Weaver, of the 23rd District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr. President:

Your Committee on Special Judiciary has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Senate Bill No. 50, a bill to be entitled an Act to amend an Act entitled an Act to abolish the office of County Treasurer of the County of Greene, State

of Georgia, to provide for the selection of county depository, etc.

Respectfully submitted,

W F WEAVER, Chairman.

By resolutions, the privileges of the floor were extended to Hon. W A. Wooten of Eastman, and Hon. W P White of Augusta, during their stay in the city

The following Senate bills were read the first time, to-wit:

By Mr. Field—

A bill to provide a new charter for the town of Stone Mountain.

Referred to Special Judiciary Committee.

By Mr. Elders—

A bill to provide for protection of islands within this State, used as Game Preserves.

Referred to Game and Fish Committee.

By Mr. Mundy—

A bill to provide for supplying the officers of the State of Georgia with Park's Annotated reprint of the Code of Georgia.

Referred to Committee on General Judiciary No. 1.

By Mr. Wohlwender—

A bill to provide for the appointment of a Deputy Clerk of the Court of Appeals.

Referred to Committee on General Judiciary No. 2.

By Mr. Mundy—

A bill to amend an Act fixing the compensation of the County Treasurer of Polk County.

Referred to Corporations Committee.

By Messrs. Price and Andrews—

A bill to provide for licensing of persons engaged in plumbing.

Referred to Committee on Commerce and Labor.

By Messrs. Heath and Elders—

A bill to regulate the practice of carrying certain cases to Supreme Court and Court of Appeals.

Referred to Committee on General Judiciary No. 2.

The following House bill was withdrawn from the Corporations Committee, read the second time and recommitted to said committee, to-wit:

By Messrs. Atkinson, White and Smith of Fulton—

A bill to amend the charter of the city of Atlanta.

The following Senate bill was withdrawn from the Committee on Constitutional Amendments, read the second time and recommitted to said committee, to-wit:

By Mr. Elders—

A bill to amend Paragraph 1, Section 4, Article 8, of the Constitution granting authority to the counties of this State to levy local tax for the support of public schools.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Council—

A bill to amend the charter of the Town of Leslie.

The report of the committee which was favorable to the passage of the bill was agreed to.

Upon the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was taken up for a third reading, to be put upon its passage, to-wit:

By Mr. Mundy—

A bill to enlarge and extend the city limits of Rockmart.

The report of the committee which was favorable to the passage of the bill was agreed to.

Upon the passage of the bill, the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bills were withdrawn from their respective committees, read the second time, and recommitted to said committees, to-wit:

By Mr. Bower of Randolph—

A bill to amend the charter of the City of Cuthbert.

Recommitted to Committee on Corporations.

By Mr. Stewart of Coffee—

A bill to provide for holding four terms a year of Coffee County Superior Court.

Recommitted to Special Judiciary Committee.

By Mr. King of Jefferson—

A bill to incorporate the Town of Wrens.

Recommitted to Corporations Committee.

By Mr. King—

A bill to amend the charter of the Town of Wrens.

Recommitted to Corporations Committee.

By Messrs. Morris and Cheney—

A bill to amend the charter of City of Marietta.

Recommitted to Special Judiciary Committee.

The following Senate bill was taken up, as unfinished business, to-wit:

By Messrs. Beauchamp and Redwine—

A bill to suspend the operations of Sections 415 and 416 of the Penal Code of Georgia, with reference to running of freight and passenger trains on the Sabbath during the continuance of the present war only.

Messrs. Mundy and Carswell offered the following amendment which was adopted, to-wit:

Amend Section 3 as follows: Provided, however, that said Sections referred to in this bill shall not be suspended until after a petition has been filed with the Railroad Commission of Georgia and said Commission has passed an order suspending the operation of said sections, as to the petitioning railroad, it being the purpose of this Act to vest in the Railroad Commission of Georgia absolute authority

to suspend said Sections during said war and with the full right to revoke the order suspending said Sections, if in their judgment the exigency ceases to exist.

Mr. Brown offered the following amendment, to-wit:

Amend further by adding “that said Sections be suspended as to all persons engaged in the business of agriculture and production of the necessities of life which are so necessary.”

Upon the adoption of the amendment the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Brown, T. A.	Leonard, R.	Wohlwender, Ed.
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Those voting in the negative were Messrs.—

Andrews, W. P.	Elders, H. H.	Merry, H. H.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Blackwell, F. M.	Field, Alonzo.	Mundy, I. F.
Eynum, T. L.	Gilmore, George.	Odum, J. C.
Carswell, Geo. H.	Heath, E. V.	Peacock, D. Roscoe.
Council, M. B.	Hopkins, H. W.	Price, H. H.
Davison, James.	Hullender, W. C.	Redwine, C. D.
Dickerson, R. G.	Humber, R. T., Jr.	Riner, M. T.
Dukes, J. P.	Kirby, J. T.	Stevens, C. O.
Dykes, J. R.	Loftin, Frank S.	Weaver, W. F.
Edwards, Chas. H.	Logan, J. B. G.	

Those not voting were Messrs.—

Beck, E. H.	Hendricks, W. H.	Townsend, S. C.
DeJarnette, H. R.	Mills, Joe Brown.	Yeoman, Sol. J.
Denny, R. A.		

Ayes, 3; nays, 32.

The amendment was lost.

The bill was read the third time.

The report of the committee which was favorable to the passage of the bill was agreed to, as amended.

Upon the passage of the bill as amended, the ayes were 28, and nays 4.

The bill having received the requisite constitutional majority was passed, as amended.

The following House bills were read the second time, to-wit:

By Mr. Stewart of Coffee—

A bill to repeal an Act creating a Board of Commissioners of Roads and Revenues in Coffee County.

By Messrs. Anderson and Brooks of Wilkes—

A bill to incorporate the Town of Metasville, Wilkes County, etc.

By Mr. Rainey of Barrow—

A bill to repeal an Act to amend the charter of the City of Winder, and for other purposes.

By Mr. Taylor of Monroe—

A bill to amend an Act creating a Board of Commissioners of Roads and Revenues for the County of Monroe.

By Mr. Rainey of Barrow—

A bill to repeal an Act incorporating the City of Winder.

By Mr. Jones of Elbert—

A bill to amend an Act providing for a system of public schools for the City of Elberton.

By Mr. Rainey of Barrow—

A bill to repeal an Act to amend the charter of the City of Winder, and for other purposes.

By Mr. Taylor of Monroe—

A bill to divide the City of Forsyth into six wards.

By Messrs. Swift, Neill and Hatcher of Muscogee—

A bill to grant Rankin Realty Company and others, in the City of Columbus, who may desire at their own expense to erect a rest room in center of Broad street, Columbus, Ga.

By Mr. Rainey of Barrow—

A bill to repeal an Act to amend the charter of the City of Winder, and for other purposes.

By Mr. McCullars of Lincoln—

A bill to incorporate the Town of Lincolnton.

By Mr. Rainey of Barrow—

A bill to establish a new charter for the City of Winder in Barrow County.

The following House bills and resolution were read the first time, to-wit:

By Messrs. Johnson of Appling, Turner of Brooks and Barfield—

A bill to provide for the assurance and registration of land titles.

Referred to Committee on General Judiciary No. 2.

By Messrs. Booker and Anderson of Wilkes—

A bill to establish a Board of Commissioners of Roads and Revenues for Wilkes County.

Referred to Committee on Counties and County Matters.

By Mr. Akin of Glynn—

A bill to amend the charter of City of Brunswick.

Referred to Corporations Committee.

By Mr. Cason of Bryan—

A bill to create the office of Supervisor of Roads and Revenues for Bryan County.

Referred to Committee on Counties and County Matters.

By Mr. Kinsey of White—

A bill to abolish the office of County Treasurer of White County.

Referred to Committee on Counties and County Matters.

By Messrs. Buxton and Law of Burke—

A bill to amend Section 6165 of the Civil Code, relative to filing of bond under bills of exception.

Referred to General Judiciary Committee No. 2.

By Messrs. Booker and Anderson—

A bill to abolish the Board of Commissioners of Roads and Revenues and Public Property for the county of Wilkes.

Referred to Committee on Counties and County Matters.

By Mr. Foy of Taylor—

A bill to abolish the office of County Treasurer of Taylor County.

Referred to Committee on Counties and County Matters.

By Mr. Burwell of Hancock—

A resolution providing for a joint committee to investigate the compilation of the State Constitution, prepared by Miss Ella May Thornton.

Referred to Committee on Appropriations.

The following Senate bills were read the second time, to-wit:

By Mr. Elders—

A bill to secure uniformity in the size of cotton bales, cotton linters, etc.

By Mr. Davison—

A bill to amend an Act to abolish the office of County Treasurer of Greene County.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Odom—

A bill to fix the time when the State and County tax books shall close.

The Committee on Finance offered the following substitute for the bill, to-wit:

A BILL

To be entitled an Act fixing the time when the State and County Tax books shall close; when executions shall issue; provide for the payment of interest on all State and County taxes remaining unpaid after the same become due, fixing the

time when the several tax collectors of this State shall make final settlements with the State and County, and for other purposes.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That from and after the passage of this Act all taxes due the State or any County thereof remaining unpaid on December 20 in each year shall bear interest at the rate of seven per cent. per annum from said date, and the several tax collectors of this State are required to collect the interest on such unpaid taxes and account for same in their final settlements.

SEC. 2. Be it further enacted by the authority aforesaid, That on the 20th day of December in each year the several tax collectors of this State shall furnish to the Comptroller-General and to the Ordinary or county officer having charge of the county affairs, as the case may be of their respective counties, a report showing the amount of State taxes and the amount of County taxes remaining unpaid on said Tax Digest, and shall every thirty days thereafter until a final settlement is made with both the State and County furnish to said officers a report showing the amount of State tax collected and the amount of County taxes collected from December 20th to the date of rendering such report, and also the amount of interest collected from said delinquent or defaulting taxpayers.

SEC. 3. Be it further enacted by the authority aforesaid, That from and after the passage of this

Act the several Tax Collectors of this State shall keep a record showing the amount of interest collected from the delinquent or defaulting taxpayers, the date upon which said taxes and interest was collected and from whom collected.

SEC. 4. Be it further enacted by the authority aforesaid, That from and after the passage of this Act the several tax-collectors of this State are required to make final settlements with both the State and County within four months from December 20th of the year in which said taxes become due, and upon failure of any such tax-collector to make such final settlement within the time such tax-collector shall forfeit one-fourth of his commission unless some good and sufficient reason be given rendering the making of such final settlement impossible.

SEC. 5. Be it further enacted by the authority aforesaid, That all interest so collected by the several tax-collectors of this State shall be by them paid to the State and County at the time and in the same manner the taxes are now required to be paid.

SEC. 6. Be it further enacted by the authority aforesaid, That the failure or refusal of any tax-collector of this State to carry out any of the provisions contained in this Act shall constitute malpractice in office, and a conviction therefor shall subject the offender to removal from office.

SEC. 7. Be it further enacted by the authority aforesaid, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

Upon the adoption of the substitute the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Elders, H. H.	Leonard, R.
Beck, E. H.	Ficklen, Boyce.	Loftin, Frank S.
Blackwell, F. M.	Field, Alonzo.	Logan, J. B. G.
Brown, T. A.	Gilmore, George.	Merry, H. H.
Carswell, Geo. H.	Hendricks, W. H.	Mundy, I. F.
Council, M. B.	Hopkins, H. W.	Odom, J. C.
Dickerson, R. G.	Hullender, W. C.	Peacock, D. Roscoe.
Dukes, J. P.	Humber, R. T., Jr.	Stevens, C. O.
Edwards, Chas. H.	Kirby, J. T.	Wohlwender, Ed.

Those voting in the negative were Messrs.—

Bynum, T. L.	Redwine, C. D.	Weaver, W. F.
Moore, J. B.	Riner, M. T.	

Those not voting were Messrs.—

Beauchamp, J. C.	Dykes, J. R.	Price, H. H.
Davison, James.	Mills, Joe Brown.	Townsend, S. C.
DeJarnette, H. R.	Heath, E. V.	Yeoman, Sol. J.
Denny, R. A.		

Ayes, 27; nays 5.

The substitute was adopted.

The bill was read the third time.

The report of the committee which was favorable to the passage of the bill, by substitute, was agreed to upon the passage of the bill by substitute the ayes were 29, and nays 4.

The bill having received the requisite Constitutional majority was passed by substitute.

The following resolution of the Senate adversely reported was taken up, to-wit:

By Mr. Brown—

A resolution to provide for the speedy determination of an action entitled “State of Georgia by its Attorney-General, Complainant, versus Tennessee Copper Company and Ducktown, Copper and Iron Company, Limited, Defendants.”

Upon the question of agreeing to the adverse report of the Committee the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Edwards, Chas. H.	Logan, J. B. G.
Beauchamp, J. C.	Elders, H. H.	Merry, H. H.
Eynum, T. L.	Field, Alonzo.	Moore, J. B.
Carswell, Geo. H.	Gilmore, George.	Mundy, I. F.
Council, M. B.	Heath, E. V.	Odom, J. C.
Davison, James.	Hullender, W. C.	Redwine, C. D.
Dukes, J. P.	Kirby, J. T.	Stevens, C. O.
Dykes, J. R.	Loftin, Frank S.	Wohlwender, Ed.

Those voting in the negative were Messrs.—

Beck, E. H.	Ficklen, Boyce.	Peacock, D. Roscoe.
Blackwell, F. M.	Humber, R. T., Jr.	Riner, M. T.
Brown, T. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.		

Those not voting were Messrs.—

DeJarnette, H. R.	Hopkins, H. W.	Townsend, S. C.
Denny, R. A.	Mills, Joe Brown.	Yeoman, Sol. J.
Hendricks, W. H.	Price, H. H.	

Ayes, 24; nays, 10.

The report of the committee was agreed to and the resolution was lost.

Upon motion of Mr. Wohlwender, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.

Wednesday, July 25th, 1917

The Senate met pursuant to adjournment at 10 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names, to-wit.

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Bynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loftin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	Merry, H. H.	Mr. President.
Edwards, Chas. H.		

By unanimous consent the reading of the Journal of yesterday's session was dispensed with.

The following message was received from the House through Mr. Moore, the Clerk thereof.

Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to-wit:

A bill to incorporate the Town of White Plains.

A bill to provide for holding four terms of Clarke Superior Court.

A bill to fix salary for the Treasurer of Chattooga County.

A bill to abolish office of County Treasurer of Walker County.

A bill to abolish the Board of Roads and Revenues of Walker County.

A bill to abolish the office of County Treasurer of Dade County

The following message was received from the House through Mr. Moore, the Clerk thereof.

Mr President:

The House has passed by the requisite constitutional majority the following bills of the Senate, to-wit:

A bill to repeal an Act creating the Board of County Commissioners of White County.

A bill to create a Board of Roads and Revenues for the county of White.

A bill to authorize the creation of a system of public schools in the City of Blackshear.

A bill to repeal an Act establishing a Board of Commissioners for Murray County.

The following House Resolution was withdrawn from the Committee on Appropriations, taken up and adopted, to-wit:

By Mr. Burwell—

A resolution providing for a joint committee of two from the House and one from the Senate to

investigate the compilation of the State Constitution by Miss Ella May Thornton.

Mr. Mundy, of the 38th District, Chairman of the Committee on Corporations, submitted the following report:

Mr President:

Your Committee on Corporations has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass by substitute, to-wit:

To amend an Act incorporating the City of Manchester.

Respectfully submitted,

I. F. MUNDY, Chairman.

Mr. Stevens, of the 30th District, Chairman of the Committee on University of Georgia, submitted the following report:

Mr President:

Your Committee on University of Georgia has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill, No. 113, to amend Section 3 of an Act approved August 18th, 1906, providing for a Normal College at Valdosta in South Georgia, and for other purposes.

Respectfully submitted,

STEVENS, Chairman.

Mr. Elders, of the 2nd District, Chairman of the Committee on Education, submitted the following report:

Mr President:

Your Committee on Education has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass by substitute, to-wit:

Senate bill No. 62, by Mr. Peacock, to establish a District Agricultural College for the 12th Congressional District.

Respectfully submitted,

H. H. ELDERS,
Chairman Committee on Education.

Mr. Dickerson, of the Fifth District, Chairman of the Committee on General Judiciary No. 2, submitted the following report:

Mr President:

Your Committee on General Judiciary No. 2 has had under consideration the following bills of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

No. 91, a bill to amend Section 1062 of Penal Code of 1910, providing that it shall be obligatory upon Judges to respect recommendations, etc.

No. 105, a bill to amend Section 2978, Volume 1, Code of 1910, by adding in second line of said Sec-

tion "Either temporary or permanent," and for other purposes.

No. 77, a bill to amend Section 6068, Code of 1910, to provide for granting by Ordinaries orders for sale of perishable property in certain cases.

No. 67, a bill to amend Section 925, Criminal Code of 1910, so as to confer upon conductors of freight trains same police powers as are now given conductors on passenger trains.

Respectfully submitted,

R. G. DICKERSON, Chairman.

Mr. Wohlwender, of the 24th District, Chairman of the Committee on Constitutional Amendments, submitted the following report:

Mr President:

Your Committee on Constitutional Amendments has had under consideration the following bills of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Senate Bill No. 93, a bill to be entitled an Act to propose to the qualified electors of this State an amendment to Paragraph 2, Section 1, Article 11, of the Constitution of this State, etc.

Senate Bill No. 27, a bill to be entitled an Act to amend Paragraph 1, Section 1, Article 7, of the Constitution of this State.

Respectfully submitted,

ED. WOHLWENDER, Chairman.

The following minority report was submitted from

the Committee on Constitutional Amendments, to wit:

Minority report on Senate Bill No. 93, creating Treutlen County.

We the undersigned members of Committee on Constitutional Amendments hereby file our minority report hereby dissenting from and objecting to the majority report of the committee on the above stated bill for the following reasons:

We do not think the bill should pass, being without merit.

Respectfully submitted,

M. T. RINER,

J. C. BEAUCHAMP.

Mr. Weaver, of the 23rd District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr President:

Your Committee on Special Judiciary has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Senate Bill No. 120, by Mr. Field. A bill to be entitled an Act to amend an Act entitled an Act to provide a new charter for the town of Stone Mountain, to be found in the Acts of the General Assembly of Georgia of 1912, being on page 1374 of same, and for other purposes.

Respectfully submitted,

W. F. WEAVER, Chairman.

Mr. Weaver, of the 23rd District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr President:

Your Committee on Special Judiciary has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to wit:

House Bill No. 94, by Mr. Cook of Miller; House Bill No. 46, by Mr. Cook of Miller; House Bill No. 47, by Mr. Taylor of Monroe; House Bill No. 201, by Mr. Hatcher of Wayne; House Bill No. 231, by Messrs. Lawrence, Eve and Wylly of Chatham; House Bill No. 309, by Messrs. Eve, Wylly and Lawrence of Chatham; House Bill No. 133, by Messrs. Lawrence, Wylly and Eve of Chatham; House Bill No. 184, by Messrs. Morris and Cheney of Cobb; House Bill No. 124, by Mr. Stewart of Coffee.

Respectfully submitted,

W F WEAVER, Chairman.

Mr. Mundy, of the 33th District, Chairman of the Committee on Corporations, submitted the following report:

Mr President:

Your Committee on Corporations has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

No. 64, a bill to amend charter of Carnesville.

No. 299, a bill to amend an Act establishing new charter for City of Atlanta.

No. 147, a bill to amend charter of Town of Grayson.

No. 36, a bill to amend charter of Town of Hoschton.

No. 113, a bill to amend an Act to create and incorporate the City of Cuthbert, provide system of public schools, etc.

No. 214, a bill to amend Sections 3 and 6 of the Acts granting corporate authority to the Town of Leslie.

No. 310, a bill to amend the charter of the City of Brunswick, Georgia.

Respectfully submitted,

I. F. MUNDY, Chairman.

Mr. Mundy, of the 38th District, Chairman of the Committee on Corporations, submitted the following report:

Mr. President:

Your Committee on Corporations has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

No. 124, a bill to amend an Act fixing the compensation of the county treasurer of Polk County.

Respectfully submitted,

I. F. MUNDY, Chairman.

The following message was received from His Ex-

cellency, the Governor, through his Secretary, Mr. Nelms:

Mr. President:

I am directed by His Excellency, the Governor, to deliver to the Senate a communication in writing to which he respectfully invites your attention.

The following message from the Governor was read, to-wit:

MESSAGE

Executive Department, State of Georgia,
Atlanta, Ga., July 25, 1917

To The General Assembly:

The Constitution of our State, while delegating to you the lawmaking power, requires that the Governor "Shall give the General Assembly, from time to time, information of the state of the commonwealth, and recommend to their consideration such measures as he may deem necessary and expedient."

Complying with this mandate, I submit, therefore, such information as I possess concerning the state of the commonwealth and recommend for your consideration certain measures deemed expedient, all of which will meet, it is hoped, with the approval of your judgment.

In my inaugural address of June 30th, I briefly discussed matters which I deemed of greatest importance, and stated that in a message later to be sent you I would amplify my views concerning them, and also discuss other questions, the consideration of which was not opportune on that occasion.

EARLIER OFFICIAL ASCERTAINMENT AND ANNOUNCEMENT OF GOVERNOR'S ELECTION ADVISED.

In my inaugural, I suggested this change. In the event this suggestion meets with your favor, it will be necessary to change the Constitution, and if this

is undertaken it will be well to consider what other changes, if any, should be made as to installing other State House Officials at the same time the Governor is to be inaugurated.

In the event of a contest, or if no election occurs, you should consider the question also as to whether the Legislature already in existence and organized should decide such, or the Legislature elected at the same time the election for Governor was held.

GOVERNOR SHOULD BE SEATED IN JANUARY.

My experience since my inauguration emphasizes to my mind the advantages to be derived from this change. The time of your Executive that should have been given to a consideration of matters of general importance to the State and public has been necessarily devoted to details incident to the organization of the office and a consideration of applications for appointments to positions, all of which, if the Executive were inaugurated in January, could have been disposed of.

The incoming Governor, if the change suggested should be adopted, also would assume his duties at the beginning of a fiscal year instead of in its midst, as is now the case. This in itself would well justify the change.

ABOLISH CONVENTIONS.

The last State Convention respected the wish of the people as expressed at the ballot-box. It was wholly free from bossism or attempted rule by any clique or faction. Its work was done without any suggestion of fraud or chicanery.

In as much as the convention system, however, furnishes a constant temptation for unscrupulous men to defeat the popular will, it should be abolished.

GOVERNORS' CONFERENCE.

The Governors in session at Washington last December voted to assess each State \$150 to cover expenses of the Governors' Conference for the current year. My predecessor in office having no available funds for the payment of Georgia's assessment, the matter has been called to my attention by the Secretary of the Conference, who asks that the matter be presented to you, with the request that an appropriation of \$150 for the year 1916 and an additional \$300 for the years 1917 and 1918 shall be passed.

It has been the custom of Georgia's Governors to participate in these conferences, and I therefore recommend the appropriation suggested.

The Governors of the various States meet yearly, "For the exchange of views and experiences of general importance to the people of the several States; the promotion of greater uniformity in State legislation; and the attainment of greater efficiency in State administration."

LAW REFORM.

I suggest that the age of consent be raised to 16 years. It is a reflection upon the State to permit the age of consent to remain as low as it is. In raising the age of consent, however, I should like very much to see a modification of the punishment

now prescribed by our statute. It is certainty and not severity of punishment which should be sought.

There should be more frequent sessions of Superior Courts possible under the law in those counties where only two sessions are held annually. "The experiment of frequent sessions of the Superior Courts has been made in many counties, and in one entire circuit—the Toombs—and works with entire satisfaction."

The judicial system of the State should be made uniform.

The work of the Grand Juries in large centers of population is becoming unduly heavy. This expense should be saved to the State and County, and the loss of time to the jurors. Also, the witnesses, who are most frequently very poor, should be saved the annoyance of attending sessions of Grand Juries, which they are forced to do, without any compensation, and sometimes two or three times, before the case in which they are summoned is concluded.

There is no reason why a solicitor of a city court should put a man accused of a misdemeanor on trial by means of an accusation, and the solicitor-general be required to obtain an indictment. There is no reason, to my mind, why, after a man has been committed for an offense by a magistrate, who has given him an opportunity to demonstrate his innocence, the time of the solicitor-general, 23 grand jurors and the witnesses in a case should be taken up in presenting an indictment to the Grand Jury; and I would, therefore, amend the laws so as to enable this to be dispensed with in all cases—felonies as well as misdemeanors—reserving to the defend-

ant thus committed, however, the right, within a reasonable time, to demand Grand Jury action. No right of our Grand Juries to *initiate* prosecutions, as now provided, would be disturbed. This plan would save a large sum of money in the more populous centers, and would also operate, I should think, to reduce by half the labor of the Grand Juries in all the counties of the State and enable the Court to proceed immediately after its organization, in many instances, to the trial and disposition of criminal cases. The defendant would be deprived of no substantial right now guaranteed by the Constitution.

The defendant should be sworn and cross-examined. The charge of the court as now submitted under the law on a defendant's statement is of such a nature as to invite the jury to believe the unsworn statement of the defendant in preference to the sworn evidence in the case, and is an invitation to them to accept a falsehood in preference to the truth.

I should like to see the juries given more authority in prescribing punishment, and I believe that the adoption of the indeterminate sentence is advisable, and recommend that the subject be given consideration by your body.

The State should, under proper regulations, have the right of appeal in criminal cases.

Some general law should be enacted whereby all rules of practice and procedure in our Courts should be made and changed at will by our Supreme Court.

The last report of the Bar Association's Committee on Jurisprudence and Law Reform and Procedure complains that many legislative changes

have been proposed by that Committee that have never been acted upon by the Legislature, and concludes that it is wholly inadvisable to indulge in any more recommendations, but, nevertheless, proceeds to call attention to the provisions of a section of the Code, and suggests an amendment thereto. The recommendation suggested, if made, would necessarily have to be made under the direction of the legal profession in your body. I can see no reason why it could not be made more expeditiously and better elsewhere, by lawyers who are learned in such technical subjects, and thus the time of the General Assembly, which is already far too short for the faithful and efficient consideration of the matters that must necessarily come before it, will be saved. No substantive law or principle is involved in such questions.

One of the great evils of our time is divorce. Hasty, ill-considered and clandestine marriages lead to a large percentage of separations.

We have on our statute books laws regulating marriage to a certain extent. We declare who shall and who shall not be allowed to marry; fix the ages within certain limits; require the consent of parents or guardians where parties are below a certain age; and require a license to be obtained from the Ordinary. But much of this is rendered nugatory by easy evasion, owing to the fact that statements made to the Ordinary in the application for license are not required to be verified.

The law drafted by members of the American Bar Association at the instance of that Organization,

and approved by the Association, should be adapted to Georgia and enacted.

The most commendable feature of that law is the one requiring that statements made to the Ordinary by the applicant for a license must be verified. A full statement of all important and relevant facts appears on the face of the license, so that the clergyman or whomsoever shall officiate shall know from the State's own warrant just what he is doing. There is nothing novel or radical in the law. It is of force in more than one State, and I recommend that you consider the enactment of a similar law for Georgia.

COMMERCE AND LABOR.

This department is asking that you enact a law requiring factories, workshops and mercantile establishments to provide proper ventilation and heat, to regulate toilets, and make provision for the enforcement of such regulations. I recommend that such provisions be enacted into law.

It has been suggested that efforts will be made during the session of your body to have set aside certain standards established for the protection of those employed in the industries of our State, upon the plea that the national emergency can best be served in this wise.

The National Council of Defense urges upon the Legislatures of the several States that, before final adjournment, they delegate to their Governors the power to suspend or modify restrictions contained in their labor laws, whenever such suspensions or modifications are requested by the National Council

of Defense, and to continue for a specified period, not longer, however, than the duration of the war. Conceding that such a law could be enacted, I seriously question its wisdom. We have in Georgia, as compared with other States, little legislation of this character, and not enough to materially affect the industrial or transportation efficiency of the State, with the possible exception of the Sunday freight train statute, as to which, such authority might be given, if it can be done.

The President of the United States recently said:

“I have been much alarmed * * * at the apparent inclination of the Legislatures of one or two States to set aside, even temporarily, the laws which safeguard the standards of labor and life. I think nothing could be more deplorable than that.”

I suggest that if, in your wisdom, you should deem it advisable to comply with the suggestion of the National Council of Defense, and it can lawfully be done, any exemptions granted should only be for extraordinary emergencies, and for the briefest possible period, and with all conditions stated in specific form; and that such exemptions should only be allowed after official investigation, due notice and public hearing.

The Attorney-General, the Secretary of Commerce and Secretary of Labor of the United States, constituting a board created by the Federal Child Labor Law, to make rules and regulations for carrying out the provisions of that Act, for the sake of uniformity and to avoid a “Duplicated Federal-State system of ascertaining the ages of children in-

tended to be protected", suggest alternate plans, under either of which the Federal Board would accept certificates of age. As the second alternative is quite lengthy, and as the Commissioner of Commerce and Labor and I deem the first better adapted to our conditions, that one is here set out, as presented by the Board. It is as follows:

"That the Legislatures of the several States consider the advisability of constituting a board of State officials similar to the Federal Child Labor Board, or of designating an appropriate State official with general power to make rules and regulations respecting proofs of age under the State Child Labor Laws, in order to secure conformity to the Federal Child Labor Law and the rules and regulations thereunder."

If the State does not care to grant the administrative power recommended above, then the Commissioner can furnish the details of the second alternative presented.

While the law is being attacked upon constitutional grounds, in as much as it becomes effective under its terms on September first, the legislation requested should be passed, as otherwise much unnecessary trouble and annoyance will inevitably result to the employers of labor affected by the bill.

Employment agencies should be under the supervision of the Commissioner of Commerce and Labor. The State should receive some revenue for a State-wide license, which should be granted only after proper showing as to character, and upon those licensed filing bond in reasonable sum. A great many poor people are being defrauded by irresponsible agents.

Immigrant agents should likewise be licensed through this department, and the State should be paid something, as well as each and every county in which the business is conducted.

AGRICULTURE.

In my inaugural I suggested that independent departments too often have been created, and under the present laws there is frequent overlapping, different departments pursuing the same end, where one department could more easily and effectively accomplish the purpose. The task of overhauling the agricultural laws is, I recognize, too great for you to undertake at this particular time, and yet it should be done at no distant date.

My predecessor in his final message of June 27th, 1917, (page 16) called your attention to the status of the Federal fund appropriated for the maintenance of the Experiment Station located at Griffin, Ga. The Federal Government appropriates all of the money for the support of this station.

The Federal officials in charge of this department now demand that the Experiment Station should be brought into closer relationship with the Agricultural College at Athens. The Federal law under which the Experiment Stations were established requires that they should be under the control of the Agricultural Colleges. It can not be denied that this provision is violated by our Georgia statutes, which it will probably be necessary to amend in some way, as suggested by Governor Harris. The experiment station could serve the purposes for which it was created far better if located in prox-

imity to the Agricultural College of the State at Athens, and should have been established there, and should now be moved there, except for the fact that Griffin is entitled, in all good faith, to retain the Institution by virtue of a contract with the State when it was located in that city. I believe that it is advisable to locate this Institution at Athens, but in view of the equity Griffin undoubtedly has, owing to the way it was located, I would not advise its removal from the present location without the full consent of the people of that community, and without substituting therefor an institution which would be equally as desirable to the people of Griffin. A committee of the General Assembly, or a commission, should be appointed, with plenary power to adjust this matter.

There is no department of our agricultural work that is of more importance than that of an experiment station, if scientifically conducted. Particularly should politics and rivalry be subordinated to the general good concerning this matter.

I would not have anything done with reference to this question that did not treat the people of Spalding County with absolute fairness, and indeed would not propose any plan that did not meet with their hearty approval; but I am sure that there will be no difficulty in arranging this situation so as to enable the State of Georgia to continue to receive the \$30,000 Federal appropriation, and obtain the best results through its Experiment Station, because the citizens of the community where it is now located are as patriotic as any, and as thoroughly devoted to the best interests of our State, and will not ask more than absolute fairness.

The State of Georgia can not afford, on the other hand, considering the history of the location of this institution, to be less than generous in the event that it should be found necessary by removal to comply with the demands of the Federal officials.

There are several ways by which the question under discussion, which has been agitated from time to time since the Experiment Station was located, can be definitely settled and disposed of to the satisfaction of all concerned; and if it is your pleasure to appoint the committee or commission suggested for full detailed investigation, I shall take pleasure in co-operating with them, and will submit the details of plans that would require too much space to set out here.

For years past Georgia has been securing approximately \$85,000,000 worth of food supplies from other sections. We have recently been notified by those in authority that due to the war, Georgia must become self-sustaining, and it will not only be necessary, therefore, to increase our production, but to conserve our resources. The agricultural production of Georgia in the last seven years has increased by more than \$100,000,000. Many agencies have contributed to this end, but it has been accomplished, in the opinion of those who have given careful thought to the matter, chiefly through the agricultural agencies supported by the State.

The conservation now being stressed by Federal Agencies will be chiefly effected through these same sources. For this reason, therefore, I submit that there should be no considerable curtailment of appropriations made for maintenance of these agen-

cies, unless imperatively demanded by the condition of the State's finances.

The live stock of Georgia is now estimated to be worth about \$140,000,000. It has nearly doubled in value since 1910. Georgia leads all Southern States in this direction. We lose annually, however, many millions of dollars worth of live stock from controllable and preventable diseases. No definite provision for training our young men in the science relating to veterinary medicine has been made. I understand that there are only forty-five licensed veterinarians in Georgia, and that none of them has received his training at home, but was forced to go outside our State.

In view of this situation, I endorse the request of the officials of the State Agricultural College that an appropriation be made to complete the establishment of a degree course in veterinary medicine.

Sheep raising should be aided by some reasonable legislation whereby they will be protected as against the dog. The following statement appears in one of the bulletins of the State Normal College:

“It is perhaps in the production of mutton that the deficiency of the South is most clearly seen. Whereas in the past we had thousands of sheep, we now have hundreds. * * * The South has believed for many years that it is more profitable to keep dogs than it is to keep sheep, and as a consequence the mutton industry has gradually decreased. So long as stray dogs are allowed to prey upon our flocks, so long will we go to the Northern States to buy the mutton our markets demand.”

Sheep raising can be made very profitable in

many sections of our State. This legislation is advisable not only for the protection of sheep, but as a means of increasing the State's revenue and for the protection of the people against hydrophobia.

The Market Bureau recently installed by the Commissioner of Agriculture is proving of assistance in enabling the farmer to market his products. Provision should be made for further experimentation and extension. Through this Bureau the producers and consumers can be brought together and without the expense of the middleman. The project has proven so successful in its operation that I would be pleased to see an appropriation of a reasonable sum made for its continuance for a period of twelve months, at the expiration of which time some definite conclusion can be reached as to the desirability of its continuance, and some estimate be formed as to the money that will be necessary to operate it permanently.

DEVELOPMENT OF INDUSTRIAL RESOURCES.

Georgia has done little for the development of the industrial resources of the State. Through the Georgia School of Technology, initiatory steps are being taken, and if given the right kind of support, that institution will accomplish for our people industrially what the agricultural colleges have done for the farming interests of the State. The Geological Department has accomplished a great deal, and at this particular time the United States Government is looking to Georgia, through its Geological Department, to supply pyrites from which sulphuric acid and the phosphorus in our fertilizers are

obtained. The war has cut off our supply from Spain, owing to the scarcity of ships to transport it. Without phosphorus in our fertilizers we will have before long crop failures. The Geological Department has had insufficient funds for its proper development under normal conditions, and the appropriations are wholly insufficient to enable it to do what is expected of it at this juncture. I therefore urge your serious consideration of the suggestion to increase the appropriations.

EDUCATION.

The Federal Vocational Educational Law, approved February 23, 1917, calls for attention at your hands, if our State—as I hope it will—is to share in the funds conditionally appropriated by the United States Congress. A detailed discussion of the many questions which will present themselves when you come to consider the matter of adapting the provisions of this Act to Georgia, will not be undertaken by me. The law has been given thorough consideration by some of our educators, and among others, by Prof. T. J. Woofter, Dean of the Peabody School of Education at Athens, Georgia, and because it has served readily to give me an understanding of the objects and plans of the Bill, and the questions and difficulties involved in putting Georgia in a position to make the Federal money available, I take the liberty of quoting briefly from a paper prepared by him:

“This law provides for vocational education in the States through certain appropriations made by the National Government to be met

dollar for dollar by the States. There are three separate appropriations, each on a sliding scale, provided for in this law, as follows:

“(a) For salaries of teachers of vocational agriculture lower than college grade and to children fourteen to eighteen years of age.

“(b) For salaries of teachers of trade, industrial and home economics subjects lower than college grade and to children fourteen to eighteen years of age.

“(c) For the training of teachers to teach these vocational subjects.

“Georgia’s apportionment of the Federal appropriation under these heads will be as follows:

“For the year ending June 30, 1918:

(a)	. \$21,000
(b)	6,300
(c)	14,200
	<hr/>
	\$41,500

“For the year ending June 30, 1919:

(a)	. \$31,500
(b)	9,450
(c)	19,930
	<hr/>
	\$60,880

“To receive these funds from the Federal Government, the State must, through its Legislature, accept the conditions of the law, provide a State Board of Vocational Education, and make necessary provisions for the finances. This State Vocational Board may be the State Board of Education or the State University Board of Trustees, or an independent board created by the Legislature, which board shall have at least three members. It will be more

economical to administer this fund through a board already created. The unity of our educational system should be kept in mind. Too many boards administering in the same field will not be advantageous; neither should we attempt to separate widely vocational education from common and public school education. Therefore, it would seem wise for the Legislature to designate the State Board of Education, or the University Trustees, or a combination of these existing boards as the Board of Vocational Education. This board then must plan the types of education for Georgia and submit their plans to a National Board for approval."

It is probable that sums which have heretofore been appropriated to various schools may, if again appropriated, be partial set-offs against Federal funds. The following may illustrate:

Under appropriation "a" might come salaries paid to teachers of agriculture in our District Agricultural Schools and rural high schools.

Under appropriation "b" might come salaries paid to teachers of trade, industry and home economics in vocational high schools of cities and towns, since local appropriations are admissible under the Federal law.

Under appropriation "c" might come sums expended in teacher-training institutions for departments of preparation of vocational teachers under the conditions of the law.

Nevertheless, Georgia should meet the spirit of the law, in accord with its plain intent, if it is possible, not only because good faith requires it, but be-

cause it is to our best interest to do so. The intent of the Government of the United States undoubtedly was that Federal appropriations should inspire equal additional funds from the State.

Something more should be done for the education of the negro than has heretofore been done. The negroes constitute about forty-five per cent. of the population of the State, and constitute a large percentage of the farming population. The State and Federal funds for the common schools is disbursed about ninety-six and one-half per cent. to the whites and three and one-half per cent. to the negroes. The average white teacher receives \$40 and the average negro teacher \$16. There have been no negro corn or other clubs organized, and they have only about three farm demonstration agents in the State.

We should give these people something more along these lines, not only because it is right, but also because it is to the best interests of our State.

STATE LIBRARY.

I have been carefully through the annual reports of the State Librarian for several years past. It is very evident that the Library has been steadily making progress. Reforms advocated by the Librarian have been expeditiously made in almost every instance, and this Department is well abreast of the advanced thought and work in its line. The gratitude of the Librarian for the support given by your body, and the next advanced step recommended by that officer is shown in the following paragraph taken from the last annual report:

“It is my hope and belief that the same liberality which has in recent years characterized the Legislature’s treatment of the State Library will some day authorize the addition to the Library of general classes of literature, together with more generous concessions to readers in the use of books, to the end that the State Library may become in truth a Library for the State, serving all its citizens.”

Under proper regulations, citizens living in even the remotest parts of our State ought to have books from this Library made available for use at their homes.

DEPARTMENT OF ARCHIVES.

The necessity for such a department is stressed in the report of the State Compiler of Records of June 30, 1917, to which you are referred. A statement from the State Librarian, attached to this report, stresses this need. These papers, which are accessible to you, cover the subject thoroughly.

We have delayed too long, already, taking steps to collect for permanent preservation our historic documents and State papers. They are now thrown around promiscuously, lost frequently or destroyed, and sometimes stolen. Always heretofore they have been advantageously placed only for disintegration and decay, consuming valuable room needed for current documents or for office space.

All records which have ceased to be current should be gathered together in one place and put under one head, for proper classification and to facilitate the labor of research. Such a place will also insure the protection and preservation of these records.

Changes of administration, together with the lack of any fixed responsibility in the matter, have caused many important records to be lost; and to safeguard the materials of our history, therefore, all records which have ceased to be current should be centralized in a Department of Archives. This can be done at comparatively little cost to the State; and some legislation along this line during the present session is urgently recommended. Many Southern States, including Alabama and Mississippi—States carved out of Georgia's territory—have already organized such departments with splendid results.

GEORGIA STATE SANITARIUM.

Your attention is called to the Seventy-third Annual Report of the Board of Trustees of this institution, calling attention to legislation much needed to give the service that should be expected. I endorse their suggestion that there should be legislation providing for voluntary admission to the institution, and that the law should be amended whereby speedy admissions for treatment can be had.

Taxpayers are interested in speedy cures of every patient. Every patient whose ailment is of continuous duration remains a burden upon the State. Statistics show that recoveries, if they take place at all, more frequently occur within from six to twelve months after the inception of the trouble. If the recovery is within six months, the patient has cost the State only \$104, or if twelve months \$208, but as the average life of an insane person is said to be ten years, if there should be no recovery, then the State is taxed \$2,080. To the saving effected

by a cure should be added the patient's restored ability to labor and provide in many cases for families which might, without his assistance, become a charge on the State or community.

Nurses should be provided by the institution to go for and convey those who are to be inmates to the institution. They are more experienced in the handling of patients, and can obtain a history of each one admitted, which, in the treatment of mental troubles, is of the utmost importance.

The needs of this institution are numerous. It has not been given the money which is almost absolutely necessary to care for the inmates.

The criminally insane and convicts should be cared for elsewhere. There should be no association of the innocent insane with criminals, and their commitment to the Sanitarium is much to be deplored. It is a hospital, and not a prison. It can not, as stated in the report submitted January 1, 1917, separate the two classes, nor can it safeguard criminals so as to prevent their escape, as it is not equipped with prison facilities.

This report calls attention to the fact that the classes entitled to admission to the Sanitarium should be more clearly defined by the law, and that not only the criminally insane and convicts above referred to should be excluded, but that many other classes now admitted should be cared for elsewhere.

I am in entire accord with these suggestions.

GEORGIA SCHOOL FOR THE DEAF, AT CAVE SPRINGS, GA.

This school is evidently doing great work. Deaf children, ignorant and helpless, can be transformed here very frequently into self-sustaining citizens.

The boys are taught a trade. The girls are instructed in domestic science and home making. They are not only made useful citizens to society but are rendered happy and contented in their work.

An appropriation for the erection of a primary department is asked. They should have it just as soon as the money is available. Such a building will relieve the congested condition now obtaining in the dormitories and enable the institution to care for many others.

CHARITIES AND CORRECTIONS.

Georgia is rendering, through the Georgia State Sanitarium, the Georgia School for the Deaf, Reformatories and other institutions, splendid service to unfortunate humanity. Each of these institutions is separate and distinct, not related in any way or co-ordinated. Neither is familiar with the conditions—the advantages or disadvantages—existing at the other.

The State's work along these lines should be co-ordinated. A commission, taking a broad, general and comprehensive survey of this field, which shall investigate our own institutions and similar institutions of sister States, and methods prevailing elsewhere, should be established to furnish your body data and statistics necessary to aid you in carrying on and perfecting the most scientific system obtainable for these institutions. The mere matter of advising and suggesting a plan whereby work can be provided for those temporarily in jail, those partially demented but capable of certain kinds of work, would justify such a board. A central board, the

head of all this work, authoritatively charged with the supervision of all these institutions, and clothed with visitorial powers, would serve a splendid purpose.

Provisions for the care of the criminally insane, defective children and other such matters should not be disposed of without giving same full consideration, such as can not be given by you, in the short period that you are here.

Virginia, South Carolina and many other States have established such boards, and through them much has been accomplished. Our recent State Democratic Convention adopted a platform in which it is said—"Recognizing the obligation of a prosperous and happy people, through their government, to insure proper protection and care for those of their number who may, all other resources failing, become dependent upon it, the Legislature should create a special department or board for their benefit. Such a board should have visitorial and investigatory powers respecting dependents and defectives, and should also be charged with the collection and dissemination of data concerning the treatment and prevention of poverty, and the development of public welfare."

PENSIONS TO CONFEDERATE SOLDIERS.

The Pension Commissioner of the State submits in his report that fraud frequently is perpetrated upon the State in the matter of obtaining pensions, and that the method now provided by law for purging the rolls through Grand Jury investigation in the several counties is a failure. I know that the

Grand Jury method of investigation is not effective. Though I have no knowledge of any frauds being perpetrated on the State, it is more than probable that there are many such instances. The Commissioner suggests that he be given authority to subpoena witnesses and compel attendance and force them to testify, and that by this method he will be able to see that no one claiming to be a soldier or the widow of a soldier will be paid unless they are justly entitled thereto.

I have suggested methods by which I believe sufficient funds could be raised with which to properly pay each and every Confederate soldier his pension and at the time contemplated by our law. If, however, you should not, after investigation, deem it wise to adopt such plans and undertake to supply the money necessary, then I, nevertheless, very earnestly insist that you should see that the old soldiers shall receive that pro rata portion of what is due them under the scaling scheme discussed elsewhere.

HEALTH.

Our State should be put fully abreast of the times in the matter of health, in so far as it can be done by legislation. The Act of 1914, called the Ellis Health Act, goes a long way toward making health service available to the rural inhabitants of our State.

It is estimated by the United States Government officials that Georgia actually loses annually from preventable diseases not less than forty-one million dollars, or \$16.00 for every man, woman and child in our State. If statisticians can find a basis for

that estimate, we can safely conclude that the loss is far in excess of these figures, staggering as they are.

I shall specify one particular in which some of this loss to our State can not only be prevented, but a great industry, heretofore referred to, promoted and considerable revenue realized. The State Board of Health is authority for the statement that "there is more hydrophobia in Georgia than in any other State in the Union, more than in any other spot on the globe of similar size." During a twelve months recently, 860 patients, several of whom died, were treated at the expense of the people for this horrible disease.

If there is more hydrophobia in Georgia than in any other State in the Union, it requires no argument, I presume, to convince one that some legislation is imperatively demanded.

A fund was appropriated two years ago for the treatment of drug addicts. Several plans were tried but at last the State Board of Health and Governor, who were entrusted with the expenditure of the money, decided that it was best to open a Sanitarium, and accordingly in May of this year, such an institution was established at No. 81 Washington Street in this city. Quite a number of patients have been treated since it was opened and with results that have been very satisfactory. There is no question but that there are thousands of addicts who are legitimate subjects for public charity in this connection. If the State is to continue this work, it seems desirable that those who take the treatment should be subsequently cared for until their final

convalescence. This should be made obligatory because too many patients relapse, and the money expended for their cure is therefore wasted, unless this precaution is observed. The patients should also be under some sort of legal restraint while the treatment is being given.

While I hope that more money can be appropriated and this work permitted to proceed, still I earnestly urge your serious consideration of the advisability of discontinuing your appropriation unless you shall also adopt the suggestions above set out. The Secretary of the State Board of Health has submitted suggestions for legislation in aid of his work, and if your body finds time to devote to the consideration of these matters, I shall be very glad to furnish same to you.

Public health work is a science in itself. The best general practitioner of medicine is not adequately equipped for public health work, and does not view disease from the community standpoint. It requires special training to fit a man for this work. It is of the utmost importance that provision should be made for the establishment at the State Medical College at Augusta of a Department devoted to fitting physicians for work along this line.

MILITARY.

A large portion of the National Guard of Georgia has already been drafted into the service of the Federal Government by the terms of the Act of Congress of date June 3, 1916, and under the terms of said Act "stands discharged from the militia of our State." That part of the guard remaining is sub-

ject to draft and will undoubtedly, under section 111 of that Act, be pressed into the service of the Nation at no distant time. When this shall have happened, our State will be without any organized force for the suppression of riots, insurrections or other disturbances. The provision of our Code with reference to an "unorganized militia" is cumbersome and not well adapted to the emergency now upon us. An organized force immediately available should be organized and equipped. My predecessor in office, acting upon the advice of the Adjutant-General, has commissioned home guards, and, without expressing any doubt as to the authority for this, I nevertheless submit that a more explicit authority should be given than is disclosed, and funds, if possible, for equipping such organizations provided, or if the finances of the State be such as to render that impossible, then more definite and specific enactments should be had as to the rights and duties of those banding themselves together as home guards. An alternative provision permissible for domestic protection is that of a State Constabulary or Police.

While I recognize that it is impossible at this session to undertake the enactment of a law creating a State police force, yet I believe that a force patterned after the Pennsylvania State police force should be provided for in Georgia at no distant date.

It is probable that the drafting of the National Guard into the service of the Nation has, at least, for the time being, automatically operated to effect the status of the pay members of our National

Guard which gives them exemptions from jury duty, but this matter should not be left in doubt. The courts need the services of all of its good citizens. Jury service is a duty that every patriotic citizen should be required to render and no man should be permitted, for a small pittance paid to the support of the militia, exemption from such duties. I, therefore, recommend that this law be repealed.

STATE COUNCIL OF DEFENSE.

My predecessor in office created, as will be seen by reference to his message of June 27th, at the suggestion of the Secretary of War, a State Council of Defense. The expense of attending meetings of this Board were paid by His Excellency out of the Contingent Fund appropriated to this Department, and I unqualifiedly endorse his course in so doing. I have heretofore stressed in my inaugural address the necessity for the continuance of such a State Council of Defense, and the appropriation of funds to carry on this work. I should be unwilling without your sanction and approval to continue applying the contingent fund appropriated to this Department for that purpose now that you are given an opportunity to authorize such further expenditures.

New York appropriated \$1,000,000, and has purchased forty tractors to be used in an effort "to increase the production of that State during 1917 and to demonstrate how feasible it is for the State to give such aid." Wisconsin has appropriated whatever sum is necessary to carry out the provision of the Act and under the law of that State provision is

made for county councils of defense and nearly all of the counties in that State, upon the passage of the State Council of Defense law, immediately threw themselves into the work, appropriating therefor in several instances as much as \$5,000. It may be that in your wisdom you will consider it wholly unnecessary to make any appropriation. I merely give these figures to illustrate the importance attached in other States by the Representatives of the people in their General Assemblies to the work of similar councils. If the President of the United States and his associates correctly understand the situation, each State should organize and mobilize all their material resources in order that they may effectively aid the National administration in speedily terminating the war in which our country is now engaged with the German Empire. A discussion of the advisability of your creating a State Council of Defense will be found in my inaugural address.

ROADS AND HIGHWAYS.

The law enacted by your predecessors, creating a Highway Commission and containing provisions calculated to enable Georgia to share in Federal appropriations for building good roads, has not been in operation as yet long enough to demonstrate either its merits or demerits. There can be little legislation in which the whole people of this State are more vitally interested than that appertaining to the upkeep of our highways. It is more than probable that this law could be improved, but whether that be true or not, the importance of the subject is such that I would urge that your appro-

priate committee take the subject up anew with the commissioners under whose supervision large expenditures are to be made, for the purpose of ascertaining what if any improvements their study and investigation of the subject will enable them to suggest. I do not mean to intimate that the utmost wisdom in the creation of this Commission has not been demonstrated, but in view of the magnitude of the work to be done in connection with the development of our highways and the many practical and scientific questions pertaining to the subject matter, I suggest a thorough canvass of the entire question.

The Prison Commissioners already have heavy burdens and the question naturally arises as to whether or not it is fair to them to place such an additional burden upon them as the proper administration of the road law entails. Our retiring Governor in his message at page 17 states that the Prison Board, even before the assumption of duties under the Highway bill, was overworked.

I suggest that, in connection with the development of our highways, it would be well to consider the advisability of applying some of the money, if it is permissible, to the construction of bridges over streams, especially in the Southern section of Georgia. I am informed that there are no bridges on the Altamaha River, none on the Oconee south of Dublin, none on the Ocmulgee south of Hawkinsville, none on the Flint south of Albany, none on the Savannah south of Augusta, and only two on the Chattahoochee south of Columbus. The counties through which these streams run are financially, in many instances, unable to bear the burden of build-

ing and maintaining bridges adequate to the needs of the traveling public, and if possible to aid them, it should be done, especially in view of the fact that few things could add more to the development of that section and the creation of wealth than to connect by bridges the sections now separated by the streams mentioned.

HARBORS, WESTERN & ATLANTIC EXTENSION, AND
RIVERS COMMISSION.

The construction of the Panama Canal, the present war, and the creation within the last year by the Federal Government of the United States Shipping Board, with an initial appropriation thereto of \$740,000,000 with which it is authorized to build, purchase, and operate vessels, or, in its discretion, organize corporations to advance the maritime interest of our Nation; the formation recently by private capital of several corporations with enormous funds to be devoted to our overseas trade—are a few agencies which seek to restore the American flag to its place of primacy on the seas which it formerly occupied. It is not those alone living at our ports who are interested in this matter—it affects every farmer, laborer, and professional man, no matter where he lives. If Georgia can put herself in a position to contribute to this end or to share in the benefits to be derived therefrom, it is her duty to do it. Throughout Europe, harbors where land and ocean transportation meet are publicly owned and operated. In the United States, Massachusetts has expended a large sum of money in the improve-

ment of Boston harbor in the construction of every possible modern facility for handling traffic from land to sea and from sea to land. The State of Rhode Island has done the same at Providence, and Connecticut at New London. Louisiana has invested a large sum in docks and wharves at New Orleans, and California owns the entire water front in San Francisco. These States, therefore, are ready to co-operate with the United States in the matter of coastwise and foreign commerce, because they are ready to provide landing places for Government owned merchant ships and others, but up to the present time no South Atlantic State has taken any action looking to the development of harbor facilities equal to the demands of the times, if indeed anything has been done whatsoever. Georgia has a seacoast of about 125 miles and could probably provide harbor and switching facilities equal to any to be found anywhere on the American Coast or in Europe. In more than one place, I am informed by those who profess to know, facilities for the deepest draft ships that are constructed can be had and their cargoes unloaded on to freight trains for interior distribution. Georgia has not received its share of foreign commerce. Can the property owned by the State on the coast be developed into deep seaports as has been done by Louisiana at New Orleans? I do not know whether it can be done or not. The Panama Canal, the Government ownership of thousands of merchant ships, will be worth little to Georgia as long as the landing places for overseas trade are in private hands and the charges for the use of such landing places beyond

the control of the State in its Governmental capacity, comparable to what they would be worth to our people if the State controlled them. Only by ownership and the exercise of rights of owners can a State have that voice in fixing tolls to be collected at an ocean gateway that she should.

Periodically the question of extending the Western & Atlantic Railroad is discussed, but so far as I know, no serious investigation by State authorities has been undertaken, certainly not since conditions as above enumerated have existed. Certainly, we should not delay this matter until the time for a new lease is on us, and the time in which to act is too short to give the matter that consideration which a question of such magnitude should receive. With the war upon us, it is probable that nothing could be done immediately except in the way of gathering data and information on the advisability of the project, but as to that, I believe we should make a beginning. If Georgia should decide that it is to the interest of her people to develop either on her property at Point Peter or elsewhere establish State owned wharves, would it then be desirable to also extend the W & A. Railroad to the sea where such State owned wharves are maintained? The question of W & A. extension and a port are intimately related, and I, therefore, suggest the advisability of creating a commission to be composed of five patriotic Georgians not connected with the shipping or transportation interests, men of experience and ability, who will, without expense to the State, investigate those questions and advise what, if anything, should be done.

In the Manufacturers Record of July 5th, 1917, the Secretary of the Board of Trade of Brunswick, Georgia, says: "Away back in the last century, long before the Civil War, the United States Government purchased a site for a navy-yard on Blythe Island, in the harbor of Brunswick, Ga., and having obtained the site, proceeded to forget about it. * * *" And he calls attention to the fact "that this site of 1695 acres is being overlooked and ignored while naval bases, navy-yards, naval training stations, submarine bases, aviation training camps, torpedo bases, and even schools for training officers for the new merchant marine, are being established at ports all the way around the seacoasts of the United States, and even on the Great Lakes—though Georgia has no naval establishment of any kind." To charge this Commission with the duty of looking after Georgia's interests in these matters is advisable and might result in good to the State.

I would also authorize this same Commission to investigate and make recommendations as to the development of our navigable streams. We have more navigable streams in Georgia than is ordinarily supposed, and without claiming any special knowledge concerning that subject, I have the impression that further developments of a very material nature along this line could be made. If so, it should be done because freight rates are inevitably lower where water transportation is available. The following rivers are navigable, at least, for a portion of their course, namely: The Savannah, the Chattahoochee, the Flint, the Coosawatee, the

Coosa, the Etowah, the Oconee, the Ocmulgee, the Altamaha, the St. Marys, and the Satilla.

Through this Commission your body and the citizens can be informed as to what is being done by the National Government for the development of Georgia's harbors and rivers and by having a permanent commission charged with giving attention to our interests in this connection, we can supplement, to the great advantage of our citizens, the efforts of those of Georgia's representatives in our National Congress who give their time and efforts to these subjects, and see that Federal appropriations coming to Georgia, which are large, are directed in so far as they can be influenced by this commission into channels where the people of the State can realize the most benefit.

GAME AND FISH.

The Commissioner in charge of this department insists that we should no longer permit State-owned oyster lands to be used in common.

It is desirable, not only from the standpoint of increasing revenue to the State but to foster the industry that Georgia should pass some legislation whereby about 100,000 acres of our oyster bottoms may be farmed out.

EXECUTIVE MANSION.

The Executive Mansion should be sold or exchanged as soon as an advantageous arrangement can be made. It is located well within the business section of Atlanta, and is ill adapted to home requirements. Its value as an investment is wholly

disproportionate to the purposes for which it is used.

An immediate advantageous sale, in view of the real estate market, may not be possible, but I believe it advisable to empower a committee from your body or a commission of State-house officers to deal with the proposition. The authority of such committee or commission should be circumscribed within such limitations as you may deem wise to interpose.

GEORGIA-SOUTH CAROLINA LINE.

Disputes concerning the line between Georgia and South Carolina involving the right of our State to collect taxes have recently arisen, and similar disputes are apt to occur. Questions also concerning jurisdiction in the enforcement of criminal laws have and will arise. It is for you to decide whether or not it is to the best interests of both States that appropriate legal steps should be taken to have the boundary between Georgia and our sister State clearly and definitely defined from the sea below the Savannah all the way up to the head of that river. The boundary between Georgia and Alabama had to be settled in this way, as did that between Kentucky and the States lying north of the Ohio river. Judge George Hillyer, a member of the Railroad Commission, who acted as arbitrator in the case of the State against the Georgia Railway & Power Company, in a supplemental opinion filed in that case, says: "All doubt should be removed and the question of boundary finally settled and adjudicated

to save endless and vexatious controversy hereafter.”

STATE PRINTING.

I attach hereto as Exhibit “A” copy of a communication sent me by the Honorable Secretary of State, who is Chairman of the State Printing Commission.

This communication discloses a situation that demands investigation and attention, for which I hope you will find time during your session. This report discloses the necessity for the creation of the Board of Control which is discussed beginning on page seven of my inaugural address.

PORTRAIT OF GENERAL GORDON.

Mrs. Marietta Minnigerode Andrews, through Hon. Hilary A. Herbert, tenders through General A. J. West, of the City of Atlanta, to the State of Georgia, an elegant life-size painting of General John B. Gordon, the work of Eliphalet Fraser Andrews, her deceased husband. As this portrait is a splendid likeness of Georgia’s illustrious son, I hope that the General Assembly will accept the gift and I suggest that it be placed at the Confederate Soldiers’ Home.

FINANCE AND TAXATION.

Revenues of the State of Georgia for the year 1917 will be insufficient by something over \$400,000.00 to meet appropriations heretofore made, and it is therefore inevitable that the State will start the next year with that much more money appropriated than money was raised by taxation to pay. This presents a serious situation and one that you should

relieve. In my inaugural address, I suggested an amendment to your rules whereby the Ways and Means Committee and the Appropriation Committee of the House should be merged into a Finance Committee charged with the duties of both those Committees, the inevitable results of which will be a report in which expenditures will harmonize with available funds. Some of your number have objected that such a committee will be too large and unwieldy. I am informed that several years back, this kind of a committee did this work and I can see no reason why the number could not be reduced so as to make it a working body.

A Board of Control or Efficiency Commission should be created and empowered to scale each and every appropriation by whatever per cent. is necessary to make appropriations and revenues match, in the event you should make appropriations beyond the revenues of the State. The Governor can now under the law veto any item in the appropriation bill, but cannot reduce them. The burden of making distinctions should not be placed upon the Governor. This suggested plan of control of excessive appropriations can be made of service before the disbursements of any appropriation for the year 1918.

In the case of *Rose against the State*, 107 Ga. 697, the Supreme Court of Georgia holds that an election of constables is a general state election. Therefore, if this Legislature, as you unquestionably have the right to do, will make constables elective this November and every two years thereafter, this being a statutory office, constitutional amendments

may be submitted this year and every year hereafter instead of every other year, as is now the case.

And while on this question of constitutional amendments, in the interest of economy, it is suggested that the provisions of Article 13, Section 1, paragraph 1, as to advertising proposed amendments should be changed in some particulars. In the year 1914, the State paid \$13,320.00 for advertisements in newspapers of amendments submitted to the people for ratification. Undoubtedly some advertisement is necessary—this is too much. Judges in charges to Grand Juries at all terms of Court, after you shall have passed an Act providing for the submission of constitutional amendments to the people, could supplement the information disseminated through the medium of a reduced number of advertisements to the economical advantage of the greatly depleted treasury.

But reverting to the suggestion that a commission be authorized to scale appropriations: This plan would not interfere with the adoption of some one of the budget schemes which are found to work well in other States, and the consideration of which by your body is very earnestly advised.

The tax laws of many States have recently undergone revision. There are new ideas being tried and suggested daily. Among the most novel and interesting are that improvements on land should not be taxed in the same proportion as land itself; that uncultivated lands which are held for speculative purposes should pay the taxes assessed against contiguous cultivated lands. The proponents of these tax-

ing schemes argue that tenancy would be reduced by their adoption, citing the alarming fact that "more than four-fifths of the area of the large holdings is being kept out of active use by their 50,000 owners, while 2,250,000 are struggling for a bare existence on farms of less than fifty acres;" tenant farmers constituting nearly half of the total.

Some States have recently, in lieu of tax on the personal property, franchises and other taxes, levied on manufacturing and mercantile corporations a per cent. tax on their incomes, using the United States income taxes as an aid.

But I shall not discuss or advise at this time plans involving a change in our Constitutional *ad valorem* taxing policy but I submit for your consideration some views which appear to me are worth while and which can be adopted through the medium of statutory enactments.

The Tax Equalization Law adopted in 1913 is not perfect and injustice in many instances no doubt results in its administration, but it should not be repealed, but amended and perfected. I believe that the beneficial results derived by the State from this law where it is properly administered are illustrated by the work of the Upson County Tax Equalizers. In 1917 in that County, there were 1266 polls put upon the Tax Digest by the Equalizers, which did not appear on sheets coming through the Receiver, and this same Board also uncovered \$263,000 worth of property which had not been returned for taxation. From the report of an Auditor made to the Grand Jury of Upson County at the November Term, 1916,

of the Superior Court covering the work of the Board of Equalizers for the year 1916, it will be found that the returns coming through the Tax Receiver were increased by \$346,759.00, and in that same year 241 polls were added, all of which resulted in the year 1916 in adding \$3,467.59 additional revenue to the County and \$1,733.79 to the State, besides the \$241.00 for poll tax paid to the State. The Equalizers and their Clerk cost only \$600.00.

Unfortunately, invisible property is, under this law—as under all laws of all States, so far as I have been able to discover—escaping its fair burden of taxation, and your ingenuity will be challenged to devise a method whereby such property can be made to pay its pro rata towards the maintenance of the Government, but your energies should be directed to that end. Men of wealth in one County, for example, are taking mortgages, as I happen to know, in the name of a man without any financial resources in some other County or in some other State, and immediately transferring the property to themselves and concealing it in their strong boxes, and for no other purpose except the evasion of the payment of taxes. Some are using banks, in which to cover their securities, and others have gone so far as to obtain charters in other States and adopting other devices suggested frequently by attorneys engaged for the purpose of enabling them to escape payment of their just proportion of our taxes. In Georgia, money, notes, mortgages and choses in action of every character are supposed to be taxed, but the State falls far short of getting its share.

The State Tax Commissioner of Georgia in 1914 is authority for the statement that "the return for taxation in this State of money is less than \$25,000,000.00, yet the report of the State Bank Examiner shows there was on deposit in the banks of this State \$170,000,000.00. The return of merchandise for taxation in this State is \$41,000,000.00, yet the report of the Insurance Department of this State discloses that on merchandise and houses the insurance companies have issued policies amounting to \$426,571,996.00.

I find that six banks in a city of approximately twenty to twenty-five thousand people have made returns for taxes as follows: \$76,000.00; \$300,000.00; \$30,000.00; \$20,000.00; \$150,000.00; \$228,000.00, which, in each instance, as shown by a sworn statement of one of their officials required by law to be made and published, is not more than sixty percent of the market value of their assets. Thus is so-called invisible property escaping taxation, which, however, can be uncovered and made to bear its burden equally with land values. In many instances it is merely a matter of devising the proper machinery that can discover them and finding officials who will compel payment.

I submit to your sense of right that the fact that invisible property is fraudulently escaping its just proportion of taxation is no reason why the Tax Equalization Law which operates to tax land values justly, namely, according to its market value, should be repealed, but that we should hold fast to what we have and see that tax dodging by those best able to bear this burden is stopped.

The following general suggestions are made for your consideration. It is believed that the adoption of these would relieve the treasury of the annual deficit under which we have been laboring:

The Railroad Commission of the State should be made a corporation commission and empowered to charter and supervise private corporations. This Commission should be chargeable with certainly some of the duties now devolving upon the Comptroller-General with reference to the taxation of certain corporations, and on the Secretary of State who is by law Corporation Commissioner. This Corporation Commission would receive considerable revenue for the granting of charters and could devise and suggest rules for the control of corporations and methods for equitable taxation thereof. There are enough members of the Commission as now constituted to attend to these matters without the creation of any other officials therefor, provided, of course, they should be required to give their entire time to the discharge of their duties.

By an Act approved August 13, 1914, domestic and non-resident investment companies were subjected to supervision by the State, the matter being put in the hands of the Comptroller-General. This should be placed in the hands of the Corporation Commission and the law amended to provide authority on the part of this Commission to inquire into the objects and purposes of these companies, their financial condition and the general management of their affairs. As the matter now stands, according to a statement made by the Comptroller-General in discussing the subject in his report of

December 31, 1916, such licenses are used by those concerns merely to advertise their business.

There should be State control and regulation of detective agencies and the collection of some revenue from that source.

A tax of some kind, as is done in Alabama, Virginia, and Tennessee, should be imposed on every mortgage or deed of trust or other instrument in the nature of a mortgage or deed of trust recorded, the tax to be paid at the time it goes to record. This is one invisible asset that is made to yield comparatively little or no revenue in this State, whereas, in the States mentioned, it has been the source of several hundred thousand dollars being turned into the Treasury.

Other States have adopted the policy of charging non-resident corporations license for doing business in the State, and I see no reason why it should not be done in Georgia.

Under our General Tax Law, returns are made as of January 1st. Merchandise at this time, immediately after the Christmas holidays, is at a low ebb. A later date could easily be designated and taxpayers given ample time in which to make their returns, and by fixing a later date, the spring stocks of merchandise that now escapes taxation would, as it undoubtedly should, be required to be returned. It is estimated that the returns of the State would be increased in a sum not less than fifty million dollars.

A change with reference to the taxation of banks should be made. If these institutions were required to pay according to the market value of their hold-

ings, several millions more would be put upon the tax digest.

Every year, the State shows a deficit as to school teachers, and teachers are forced to take drafts and discount them. There are thousands of people, black and white, enjoying the protection of our Government and our school facilities and not paying as much as one dollar poll tax. Now that we have our compulsory school law, would it not be wise to provide that no child should be eligible to public schools unless his parent or guardian has at least paid as much as a poll tax and shows his proper receipt as to the payment thereof? As to those who have no children, some county official should be authorized or directed to bring all such delinquents before the Ordinary or the County Commissioners or some court which should be provided with authority to work them ten days on the public works in the event they have nothing upon which levy can be made and out of which the poll tax can be collected. If the defaulter can show inability of any kind, there should be a discretion to let him off. There are very few, however, who would have to claim any such exemption. I personally know of a man who for twenty-seven years has never paid a dollar's poll tax. His wife has property, he has none and boasts that he cares nothing for the numerous nulla bonas which have been entered for many years against him. He has no children and would not, therefore, pay unless forced thereto by means of some such law as above suggested. There are numerous cases of this kind, and it is, I think, a reflection upon us that we make some pay and permit others who could if they would,

but who are too worthless, to enjoy the benefits of our Government without bearing any of its burdens. A plan somewhat similar is employed as to road taxation. Why can it not also be done as to poll taxes?

There should be a more specific and definite description given in all tax returns as to notes and securities of all kinds,—the name of the debtor and the amount—and the tax return should show whether the debt is a secured or unsecured debt, and the nature, location and a brief description of the security given, with endorsers, should be shown. This would uncover property. If the holder of the notes or the transferees or other person seeking to collect them in our courts were denied the right to maintain the suit unless their petition contained an allegation showing that taxes had been properly paid, as required by law, an immense amount of money could be had as taxes and the tax rate immediately reduced.

The Tax Receiver should be required to make examinations of the records of the Clerks of the Superior Courts in the various counties for the purpose of discovering property subject to taxation.

The method of compensating Tax Receivers should be changed. It operates to the advantage of the tax receivers to have rates up and returns down, as a high rate under the present provisions for compensation will give larger compensation. In one County, as I happen to know, under a reduced rate and an increased return in the year 1914, the State got less taxes by \$2,221.25, and the tax receiver got

less commissions by \$27.65 than was the case during the year previous, when the tax rate was one half mill less, because the tax receiver is paid on the basis of the cash that goes into the treasury. To remedy this, let the tax receiver receive compensation without reference to the tax rate, as, for example, a certain fixed sum for each million dollars or proportionate part thereof put upon the tax digest up to a certain sum, and then be paid on a graduated scale, which would give him adequate compensation and at the same time a very great interest in seeing that all property is returned and taxed at its fair market value.

In Georgia, we have a small per cent. tax on the income of insurance companies, and permit municipalities to charge for the privilege of soliciting business within their limits. A better plan I think, and one that would be productive of considerable revenue to the State, would be to double the per cent. tax on the incomes of insurance companies and let that be in lieu of all other municipal taxes. As it is today, agents very rarely pay the license tax demanded by the various municipalities, and this plan would, therefore, not result in any considerable loss of revenue, if indeed any revenue would be lost, to them, and, on the other hand, would be the means of giving the State a large sum of money. In addition to that, it is a matter of justice to the smaller companies, whose revenue, as the matter now stands, would be almost wholly consumed if they were to undertake to pay the license taxes provided by the ordinances of even the larger towns, whereas a large company can well afford to pay such tax. Payment

upon the income of the company would encourage small companies to solicit business and be fair, I submit, to all interested.

I have not undertaken to exhaust sources from which increased revenues can be obtained, but content myself with referring to a few plans which have been found to work advantageously in other States.

I am glad to note that your body has under consideration the advisability of enacting a new general tax law. I think that this is advisable.

Previous to the enactment of the general tax act, the Legislature had itself fixed the tax rate. This duty, I submit, is placed upon your body by the constitution of our State, Sections 6551 and 6552. The provisions in Section 915 of the general tax act directing the Governor to levy and assess is probably unlawful in view of the fact that the General Assembly of the State is charged with that duty. I do not mention this matter to escape the responsibility of designating within the constitutional limit of five mills the rate of taxation, but because I believe that if the constitutional scheme is adhered to, you will either not make appropriations beyond revenues that can reasonably be anticipated, but that your body will make only those appropriations which can be paid by taxes which can be realized under the rate which the constitution requires you to fix.

COMMITTEE ON GOVERNOR'S MESSAGE.


I am informed that it has heretofore been the practice to take no formal notice of communications sent by the Executives. The law requires this labor at the hands of your Governor. I have no doubt

but that my predecessors investigated the questions as to which they expressed themselves in their messages, as diligently as I have devoted myself to a consideration of the subjects herein discussed.

It seems to me advisable to recommend that you appoint a committee, charged with canvassing the recommendations and suggestions herein contained. Let the members thereof, if they desire further explanations and amplifications of the views set forth, or more detailed information concerning these recommendations, confer with the Governor, and the said committee be required to report back to your body its approval or disapproval of all recommendations contained herein, or at least, distribute the subject matter contained herein to the appropriate committees of your bodies, for their consideration, so that such committees to whom the recommendations may be assigned, may draft legislation embodying those suggestions that meet with their approval.

This will assure some consideration of the matters to which your attention is called, and which are suggested, in several instances, by patriotic citizens with no selfish purpose, who have conferred with me as the one accessible agency through whom they can have their disinterested conclusions presented, in a formal way to your body for consideration.

Respectfully submitted,

A handwritten signature in cursive script, reading "Hugh A. Dorsey". The signature is written in dark ink and is positioned above the printed name "Governor.".

Governor.

EXHIBIT "A"

OFFICE OF THE SECRETARY OF STATE.

Atlanta, Ga., July 19, 1917

*Hon. Hugh M. Dorsey,**Governor*

My dear Sir:

I feel it my duty to inform you that there will be a deficit in the State Printing Fund for the year 1917. The amount appropriated for this particular fund for the present year is \$35,000, and the Treasurer has already paid out of this amount \$33,421.52, leaving a balance to the credit of the fund of \$1,578.48. The amount of this fund expended by the various State departments are as follows:

1917

*Statement Showing the Amount of Printing for Each
Department Paid for out of the State Printing
Fund by the Treasurer on Warrant from the
Governor.*

Secretary of State .	. \$ 1,524.16
Comp. Gen'l Tax Dept., Insurance Dept.	11,372.52
Treasurer .	4,540.66
Executive Department	2,079.30
Pension Commissioner	454.44
Labor Commissioner	444.09
Acts Legislature House and Senate Print- ing, 1916	10,045.76
Attorney-General	110.09

Library	262.90
Balance on hand	1,500.00
	<hr/>
	\$32,333.92
Amount due and unpaid	.\$ 4,500.00
Estimated cost printing Laws and Journals and incidental printing Legislature, 1917	11,000.00
Estimated cost miscellaneous printing of Department to January 1, 1918.	6,000.00

It will be seen from the above that we are faced with a deficit of \$18,993.92, and these are close figures. I trust you may see your way clear to request the General Assembly to appropriate the above named amount.

Under the terms of the printing law, adopted in 1878, and still of force in this State, the Secretary of State, the Comptroller-General, and the State Treasurer are Commissioners of Public Printing, with authority to contract for and superintend the same. In many particulars this law is imperfect. During the thirty-nine years since this law was passed the mode of printing has so changed that many of the specifications in the said law have become obsolete and many others are confounding both to the commissioners and the printer. The effect of this law is to make the Commissioners, in a large measure, responsible for the proper disbursement of all sums appropriated for public printing, which sums now amount to \$35,000. In carrying out this duty a large amount of detail work is required in

checking and measuring the accounts of the printer and the services of a person possessing a highly technical knowledge of printing in all its branches is required. The great responsibility involved and the time required to measure the printing and audit the accounts seriously interfere with these officials in the discharge of other highly important duties, and the time has come when it is both proper and necessary that some provision be made whereby the duties now devolving upon them may be discharged by some other department. In addition to his duties, as State Treasurer, that official is also charged with the responsible duties of State Bank Examiner; the Comptroller-General in addition to his duties as such officer has under his direction the supervision of Insurance Companies; the Secretary of State in addition to those duties imposed by the Constitution has under his direction the registration of Corporations, the licensing of owners of motor vehicles and the administration of the law regulating the sale of stocks, bonds, and other securities.

The entire time of these officials is taken up in the discharge of these many and important functions and I am authorized, as Chairman of the Printing Commission, to respectfully request that they be relieved from this work, and recommend that the Legislature make suitable provision whereby a competent typographical expert may be appointed or elected for this duty.

I might also add that there has been two Extraordinary Sessions of the Legislature in the past two

years, and no appropriation was made by either to pay the printing incident to these sessions.

Respectfully submitted,

PHILIP COOK,
Secretary of State.

The following Senate resolution was read the first time, to-wit:

By Mr. Brown—

A resolution to require Tennessee Copper Company to make monthly reports to the Governor, with respect to the operation of its plants.

Referred to Committee on Mines and Mining.

Upon written request of the majority of the members of the Committee on Commerce and Labor, the President announced that he had appointed Mr. Beck as a member of said committee.

The following resolutions were read and referred to Committee on Rules, to-wit:

By Mr. Gilmore—

A resolution to make Senate bill No. 101 a special order for Thursday, July 26th, 1917

Br. Mr. Merry—

A resolution to make Senate bill No. 73 a special order for Tuesday, July 31, 1917

The following Senate bills were read the first time, to-wit:

By Mr. Odom—

A bill to repeal an Act to create a Board of Com-

missioners of Roads and Revenues for Baker County.

Referred to Committee on Counties and County Matters.

By Mr. Odom—

A bill to create a Board of Commissioners of Roads and Revenues for the County of Baker.

Referred to Committee on Counties and County Matters.

The following House bills were read the first time, to-wit:

By Mr. Smith of Dade—

A bill to abolish the office of Treasurer of Dade County.

Referred to Committee on Counties and County Matters.

By Mr. Worsham of Chattooga—

A bill to fix a salary for the Treasurer of Chattooga County.

Referred to Committee on Counties and County Matters.

By Mr. Brown of Clarke—

A bill to provide for holding four terms a year of Clarke County Superior Court.

Referred to General Judiciary Committee No. 1.

By Mr. Harris of Walker—

A bill to abolish the office of County Treasurer of Walker County.

Referred to Committee on Counties and County Matters.

By Mr. Sibley of Greene—

A bill to incorporate the City of White Plains.

Referred to Committee on Corporations.

By Mr. Harris of Walker—

A bill to abolish the Board of Commissioners of Roads and Revenues for Walker County

Referred to Committee on Counties and County Matters.

The following House bills were read the second time, to-wit:

By Mr. Hatcher of Wayne—

A bill to amend the Act establishing the City Court of Jesup in the County of Wayne.

By Mr. Akin of Glynn—

A bill to amend the charter of the City of Brunswick.

By Messrs. Williams and Culpepper of Meriwether—

A bill to amend an Act incorporating the City of Manchester.

By Mr. Bond of Franklin—

A bill to amend the charter of Carnesville.

By Mr. Taylor of Monroe—

A bill to provide for the holding of four terms a year of Superior Court for Monroe County.

By Mr. Cook of Mills—

A bill to create the City Court of Miller County.

By Messrs. Timmerman and Pace of Sumter—

A bill to amend Sections 3 and 6 of the Acts, granting corporate authority to the Town of Leslie.

By Messrs. Kelley and Green of Gwinnett—

A bill to amend the charter of the Town of Grayson.

By Messrs. Eve, Wylly and Lawrence of Chatham—

A bill to amend an Act to create a Recreation Commission for the city of Savannah.

By Mr. Ayers of Jackson—

A bill to amend the charter of the Town of Hoschton.

By Mr. Cook of Miller—

A bill to repeal an Act to provide for the holding of four terms of Superior Court of Miller County.

By Messrs. Swift, Neill, and Hatcher of Muscogee County—

A bill to require all political parties in Muscogee County to nominate their candidates for county offices by primary elections.

By Mr. Lawrence, Mr. Eve and Mr. Wylly of Chatham—

A bill to authorize the mayor and aldermen to close a portion of Henry Street Lane, Savannah.

By Messrs. Lawrence, Wylly, and Eve of Chatham—

A bill to authorize the authorities of Savannah to close and convey a certain lane.

The following Senate bills were read the second time, to-wit:

By Mr. Weaver—

A bill to amend Section 6068 of the Code of Georgia of 1910.

By Mr. McCurry—

A bill to amend Section 925 of the Criminal Code of 1910.

By Mr. Beck—

A bill to amend Section 297 of Volume 1 of the Code of 1910.

By Mr. Peacock—

A bill to propose an amendment to Paragraph 2, Section 1, Article 11 of the Constitution of this State, so as to create the new county of Treutlen.

By Mr. Beck—

A bill to amend Section 3 of an Act approved August 18th, 1906, providing for a Normal College at Valdosta.

By Mr. Mills—

A bill to amend Section 1062 of the Penal Code of 1910.

By Mr. Edwards—

A bill to amend Paragraph 1, Section 1, Article 7, of the Constitution of this State.

By Mr. Field—

A bill to amend an Act to provide a new charter for the town of Stone Mountain.

By Mr. Mundy—

A bill to amend an Act fixing the compensation of the county treasurer of Polk County.

The following House bills were taken up for a third reading, to be put upon their passage, to-wit:

By Mr. Rainey of Barrow—

A bill to repeal an Act incorporating the City of Winder.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Stewart of Coffee—

A bill to repeal an Act creating a Board of Commissioners of Roads and Revenues in Coffee County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Rainey of Barrow—

A bill to repeal an Act to amend the charter of the City of Winder.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Anderson and Booker of Wilkes—

A bill to incorporate the Town of Metasville in the county of Wilkes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Atkinson, White and Smith of Fulton—

A bill to amend the charter of the City of Atlanta.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Morris and Cheney of Cobb—

A bill to amend the charter of City of Marietta.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the constitutional majority was passed.

By Mr. Taylor of Monroe—

A bill to amend an Act creating a Board of Commissioners of Roads and Revenues for the County of Monroe.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Swift, Neill and Hatcher of Muscogee—

A bill to grant Rankin Realty Company and others in the city of Columbus the right to erect a rest room in center of Broad street in the city of Columbus.

The report of the committee, which was favorable to the passage to the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Jones of Elbert—

A bill to amend an Act providing a system of public schools for the City of Elberton.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays, 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Stewart of Coffee—

A bill to provide for holding four terms a year of the Superior Court of Coffee County

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. McCullars of Lincoln—

A bill to incorporate the Town of Lincolnton.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Taylor of Monroe—

A bill to divide the City of Forsyth into six wards.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Rainey of Barrow—

A bill to establish a new charter for the City of Winder.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Rainey of Barrow—

A bill to repeal an Act to amend the charter of the City of Winder.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

Mr. Rainey of Barrow—

A bill to repeal an Act to amend the charter of the City of Winder.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Bower of Randolph—

A bill to amend the charter of the City of Cuthbert.

The report of the committee, which was favorable to the passage of the bill as amended was agreed to.

Upon the passage of the bill as amended, the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed as amended and the amendment was as follows, to-wit:

The committee amends as follows: By striking all of Section 3, and inserting in lieu thereof, the following:

SEC. 3. Provided the foregoing amendment may be submitted to a referendum vote, for ratification or rejection by the voters of said city, upon the written petition of one-third of the registered, qualified voters of said city to the city council of Cuthbert, Ga., and the said city council shall thereupon submit the same to be voted on at the next regular election to be held on and for said city on the first Wednesday in December, 1917, at which election the ballots shall have printed on them in addition to the names of the candidates, the words, "For the amendments" and "against the amendments," and if a majority of said voters shall vote in favor of said amendments, then the same shall be considered approved and ratified; but if a majority shall vote against said amendments, then the said amendments shall be considered rejected and repealed; provided, however, that the aforesaid written petition shall be signed by one-third of the registered qualified voters of said city, and shall be filed with the clerk of the

council at least thirty days before the said next regular election to be held on the first Wednesday in December, 1917, as aforesaid, so that proper notice of said election may be given to the citizens of said city; and in the event that no such petition as aforesaid shall be filed thirty days beforehand as aforesaid then no such referendum vote shall be had, and the aforesaid amendments shall be considered to have been approved by the voters of said city, and shall automatically stand ratified, the purpose and intent of this section being to give the voters of said city an opportunity to vote on these amendments if they desire. Provided, however, nothing herein contained shall interfere or prevent the Board of Education of the city of Cuthbert and the city authorities from making its assessment, levy and collection of taxes for the ensuing current school year, under the terms of the foregoing amendments, nor shall the rejection of said amendments, if rejected at said election, nullify or affect the assessment, levy and collection of taxes thereunder for the ensuing current school year; the said Board of Education and the city authorities being hereby authorized to act under and in accordance with the terms of the foregoing amendments in the event, for and during the ensuing current school year, the time being now too short to submit these amendments to a referendum vote, before the said assessments, levy, etc., must be made for the ensuing current school year, 1917-18.

The following Senate bills were taken up for a third reading, to be put upon their passage, to-wit:

By Mr. Hullender—

A bill to amend an Act to provide compensation for the members of the Board of Commissioners of Roads and Revenues for Catoosa County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Davison—

A bill to amend an Act to abolish the office of County Treasurer of Greene County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Beck—

A bill to empower the State Superintendent of Schools, the Attorney-General and the Chairmen of the Senate and House Committees on Education to codify the school laws.

The bill was read the third time.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30 and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Brown—

A bill to provide for the collection of attorney's fees on real estate and chattel mortgages.

The bill was read the third time.

The report of the committee, which was favorable to the passage of the bill by substitute was agreed to.

On the passage of the bill by substitute the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed by substitute and the substitute is as follows:

A BILL

To provide for the collection of attorney's fees stipulated for in real estate mortgages, personalty mortgages, or warranty deeds to secure debt, when sought to be collected by foreclosure or, under power as set forth in the conveyance, and for other purposes.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That,

1st. In the petition for foreclosure, rule nisi, rule absolute and mortgage fi. fa., in cases of foreclosures of mortgages on real estate;

2nd. In the affidavit of foreclosure and the execution or fi. fa. in cases of foreclosures of mortgages or personalty; and

3rd. In the declaration of default and the advertisement for sale of real estate held and sold under the power conferred in and by mortgage or warranty deeds to secure debt; it shall be lawful and permissible to include and recover, in addition to the principal, interest and costs, such attorney's fees as may be stipulated by and in such mortgage or warranty deed to secure debt. Provided, the holder of said mortgage or warranty deed to secure debt, his agent or attorney, shall in writing notify the maker of said mortgage or warranty deed to secure debt ten days before the filing of the petition for foreclosure (if real estate), or ten days before the filing of the affidavit of foreclosure (if personalty) or ten days before the publication of the advertisement of sale (if a warranty deed to secure debt) of his intention to foreclose or advertise, as the case may be, which notice shall distinctly state the day or which said petition for foreclosure will be presented to the court, naming the court, naming the amount of principal, interest and attorney's fees claimed, and, in case of a warranty deed to secure debt, shall declare the necessary default as provided by the deed and stating the amount of principal, interest and attorney's fees claimed as due, and thereupon unless the debtor, on or before the day named by such notice, shall pay the principal and interest on such debt, the attorney's fees may be recovered together with the principal, interest, and costs.

SEC. 2. Be it further enacted by the authority aforesaid, That the notice provided in Section 1 of this Act shall be served upon the debtor by registered mail, and a declaration of same made in the petition for and of foreclosure or advertisement under deed.

SEC. 3. Be it further enacted by the authority aforesaid, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

The following Senate bill was taken up for a third reading to be put upon its pasage, to-wit:

By Mr. McCurry—

A bill to fix the salary of the Clerk in the Pension office at \$150.00 per month.

Mr. Dukes offered the following amendment which was adopted, to-wit:

Amend by striking the sum of “\$150.00” wherever the same appears and inserting in lieu thereof, the sum “\$125.00.”

The report of the committee which was favorable to the passage of the bill was agreed to, as amended.

Upon the passage of the bill, as amended, the ayes were 19 and nays 4.

The bill having failed to receive the requisite constitutional majority was lost.

The following message was received from His

Excellency, the Governor, through his Secretary,
Mr. Nelms:

Mr. President:

I am directed by His Excellency, the Governor, to deliver to the Senate a sealed communication in writing, to which he respectfully invites your consideration in executive session.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Carswell—

A bill to repeal Sections 715 and 716 of Volume 2 of the Code of 1910, in reference to procuring money on contract for services, fraudently.

Upon motion to table the bill, the ayes and nays were ordered, and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Beauchamp, J. C.	Ficklen, Boyce.	Mundy, I. F.
Council, M. B.	Gilmore, George.	Odom, J. C.
Davison, James.	Heath, E. V	Peacock, D. Roscoe.
Dickerson, R. G.	Kirby, J. T.	Riner, M. T
Dykes, J. R.	Logan, J. B. G.	Stevens, C. O.
Elders, H. H.		

Those voting in the negative were Messrs.—

Blackwell, F. M.	Field, Alonzo.	Merry, H. H.
Brown, T. A.	Hopkins, H. W.	Mills, Joe Brown.
Bynum, T. L.	Hullender, W. C.	Moore, J. B.
Carswell, Geo. H.	Humber, R. T., Jr.	Weaver, W. F.
Dukes, J. P.	Leonard, R.	Wohlwender, Ed.
Edwards, Chas. H.	Loftin, Frank S.	

Those not voting were Messrs.—

Andrews, W. P	Denny, R. A.	Redwine, C. D.
Beck, E. H.	Hendricks, W. H.	Townsend, S. C.
DeJarnette, H. R.	Price, H. H.	Yeoman, Sol. J.

Ayes, 16; nays, 17

The motion to table the bill was lost.

The report of the committee which was favorable to the passage of the bill was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Beck, E. H.	Dickerson, R. G.	Humber, R. T., Jr.
Blackwell, F. M.	Dukes, J. P.	Leonard, R.
Brown, T. A.	Edwards, Chas. H.	Merry, H. H.
Eynum, T. L.	Field, Alonzo.	Mills, Joe Brown.
Carswell, Geo. H.	Hopkins, H. W.	Moore, J. B.
Council, M. B.	Hullender, W. C.	Weaver, W. F.

Those voting in the negative were Messrs.—

Beauchamp, J. C.	Heath, E. V.	Peacock, D. Roscoe
Davison, James.	Kirby, J. T.	Redwine, C. D.
Dykes, J. R.	Loftin, Frank S.	Riner, M. T.
Elders, H. H.	Logan, J. B. G.	Stevens, C. O.
Ficklen, Boyce.	Mundy, I. F.	Wohlwender, Ed.
Gilmore, George.	Odom, J. C.	

Those not voting were Messrs.—

Andrews, W. P.	Hendricks, W. H.	Townsend, S. C.
DeJarnette, H. R.	Price, H. H.	Yeoman, Sol. J.
Denny, R. A.		

Ayes 18, nays 17.

The bill having failed to receive the requisite constitutional majority was lost.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Wohlwender—

A bill to amend Section 5298 of Civil Code of 1910 in reference to garnishment.

The bill was read the third time.

The report of the committee which was favorable to the passage of the bill, by substitute, was agreed to.

Upon the passage of the bill by substitute the ayes were 28 and nays 0.

The bill having received the requisite constitutional majority was passed by substitute and the substitute is as follows, to-wit:

A BILL

To amend an Act of the General Assembly of Georgia, approved August 14th, 1914, amending Section 5298 of the Civil Code of Georgia of 1910, by adding to Section 1 of said Act the following: "Provided, further, the official issuing the summons of garnishment must state on the face of the same, in bold letters or writing, whether it is issued on a garnishment based on a suit pending, or judgment obtained, or upon an attachment, and if not on attachment, then the garnishee must pay the wages so exempt when due to the person to whom due, and a failure so to do by the garnishee shall entitle the person to whom said wages are due to double the amount of such wages as liquidated damages to be recovered by an action at law; and provided, further, that the neglect or failure upon the part of the official to state on the face of the summons of garnishment the requirements aforesaid shall render the proceedings void. The payment of the exempt wages

by the garnishee under the provisions of this Act shall discharge the garnishee from further liability as to such amounts as shall be exempt," and for other purposes.

SECTION 1. Be it enacted by the General Assembly of Georgia, and it is hereby enacted by the authority of the same, That the Act approved August 14, 1914, amending Section 5298 of the Civil Code of Georgia of 1910, be and the same is hereby amended by adding after the word "wages," in the last line of Section 1 of said Act a new paragraph as follows: "Provided, further, the official issuing the summons of garnishment must state on the face of the same, in bold letters or writing, whether it is issued on a garnishment based on a suit pending, or a judgment obtained, or upon an attachment, and if not an attachment, then the garnishee must pay the wages so exempt when due to the person to whom due, and a failure so to do by the garnishee shall entitle the person to whom said wages are due to double the amount of such wages as liquidated damages to be recovered by an action at law; and provided, further, that the neglect or failure upon the part of the official to state on the face of the summons the requirements aforesaid shall render the proceedings void. The payment of the exempt wages by the garnishee under the provisions of this Act shall discharge the garnishee from further liability as to such amounts as shall be exempt;" so that said section when amended shall read as follows:

All persons shall be exempt from the process and liabilities of garnishment on one dollar and twenty-

five cents per day of their daily, weekly or monthly wages and on fifty per cent. of the excess thereof, whether in the hands of their employers or others. All wages above the exemption herein provided for shall be subject to garnishment, and garnishee in making answer shall state specifically when the wages therein referred to were earned by defendant and whether the same were earned as daily, weekly or monthly wages.

Provided, further, the official issuing the summons of garnishment must state on the face of the same, in bold letters or writing, whether it is issued on a garnishment based on a suit pending, or a judgment obtained, or upon an attachment, and if not an attachment, then the garnishee must pay the wages so exempt when due to the person to whom due, and a failure so to do by the garnishee shall entitle the person to whom said wages are due to double the amount of such wages as liquidated damages to be recovered by an action at law; and provided, further, that the neglect or failure upon the part of the official to state on the face of the summons the requirements aforesaid shall render the proceedings void. The payment of the exempt wages by the garnishee under the provision of this Act shall discharge the garnishee from further liability as to such amounts as shall be exempt.

SEC. 2. Be it further enacted, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Weaver—

A bill to provide two weeks' term of Superior Court of Taylor County, to fix the time of holding the same, and to change the time of holding the Superior Court in Harris, Marion and Muscogee Counties.

Mr. Weaver offered the following substitute which was adopted, to-wit:

A BILL

To provide for two weeks' term of Superior Court of Taylor County, to fix the time of holding same, and to change the time of holding the Superior Court in Talbot and Chattahoochee Counties, and for other purposes.

SECTION 1. Be it enacted by the General Assembly of Georgia, and it is hereby enacted by the authority of the same, That from and after January 1st, 1918, Taylor County shall have two weeks' term of Superior Court in lieu of one week as now provided, and that the terms of Superior Court of Taylor County be held on the last Monday in March and first Monday in April and last Monday in September and first Monday in October of each year.

SEC. 2. Be it further enacted by the authority aforesaid, That from and after January 1st, 1918, that the time for holding the Superior Court of Talbot County be changed from the second and third Mondays in March and September to the first and second Mondays in March and September of each year, and that the time of holding the Superior

Court of Chatahochee County be changed from the fourth Monday in March and September to the third Monday of March and September in each year, so that the calendar of the Chattahoochee Circuit, from and after January 1st, 1918, shall be as follows: Chattahoochee County third Monday in March and September; Harris County second Monday in April and October; Marion County fourth Monday in April and October; Muscogee County, first Monday in February, August and November and second Monday in May; Talbot County first Monday in March and September; Taylor County last Monday in March and September.

SEC. 3. Be it further enacted by the authority aforesaid, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

The report of the Committee which was favorable to the passage of the bill was agreed to, by substitute.

Upon the passage of the bill, by substitute, the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed by substitute.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Hopkins—

A bill to authorize National banks located in this State to act as trustees, executors, etc.

The report of the committee which was favorable to the passage of the bill was agreed to.

Upon the passage of the bill the ayes were 28 and nays 3.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Heath—

A bill to provide for the execution of interrogatories in vacation.

Mr. Heath offered the following substitute to the bill which was adopted, to-wit:

A BILL

To provide for the opening and inspection of interrogatories and depositions and for their proper execution, transmission and return, and for other purposes.

SECTION 1. Be it enacted, That from and after the passage of this Act, when any interrogatories or depositions have been returned in any case pending in any court either party at interest may, on five days' written notice to the adverse party, his agent or attorney at law, apply to the judge or justice in whose court such case is pending and obtain an order from such judge or justice directing that the said interrogatories or depositions be opened and examined, and if, upon inspection, it appears that they have been improperly executed, transmitted or returned, such judge or justice shall order the same to be returned to the Commissioner, or per-

son, before whom the same were taken, for proper execution, transmission and return. Such application may be heard and the order thereon granted in vacation as well as in term time.

SEC. 2. Be it further enacted, That the provisions of this Act are merely cumulative of other provisions of the law regarding the execution, transmission and return of interrogatories and depositions and not in exclusion thereof.

SEC. 3. Be it further enacted, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

The report of the committee which was favorable to the passage of the bill was agreed to, by substitute.

The bill was read the third time.

Upon the passage of the bill by substitute the ayes were 26 and nays 0.

The bill having received the requisite constitutional majority was passed, by substitute.

The following Senate bills were taken up for a third reading to be put upon their passage, to-wit:

By Mr. Carswell—

A bill to amend an Act approved July 8th, 1910, putting in force the Constitutional Amendment providing for the payment of pensions to ex-Confederate soldiers.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

The bill was read the third time.

On the passage of the bill the ayes were 30 and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Elders—

A bill to amend Section 1517 of the Penal Code, in reference to regulations as to applicants who desire to enter Confederate Soldiers' Home.

The report of the committee, which was favorable to the passage of the bill, was agreed to

The bill was read the third time.

On the passage of the bill the ayes were 23 and nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Price and Andrews—

A bill to amend Section 2792 of Volume 1 of Code of Georgia, so as to provide how contracts for the conditional sale or lease of railroad stock or equipment made without the State may be executed within the State.

The report of the committee, which was favorable the passage of the bill was agreed to.

The bill was read the third time and upon its passage the ayes were 29 and nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was taken up for a third reading, to-wit:

By Mr. Peacock—

A bill to provide for the establishment of an Agricultural District School in the 12th Congressional District.

Upon motion the bill was tabled.

Upon motion of Mr. Wohlwender the session was extended in order to permit the Senate to go into executive session.

At 12:50 o'clock P M. the Senate went into executive session.

The executive session was dissolved.

Upon motion of Mr. Wohlwender the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.

Thursday, July 26th, 1917

The Senate met pursuant to adjournment at 10 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names, to-wit:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odum, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Bynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loftin, Frank S.	Wohlwender, Ed.
Lukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	Merry, H. H.	Mr. President.
Edwards, Chas. H.		

Mr. Loftin gave notice that at the proper time he would move to reconsider Senate Bill No. 48.

By unanimous consent the reading of the Journal of yesterday's session was dispensed with.

Mr. Loftin moved that the Senate reconsider its action of yesterday in failing to pass the following bill of the Senate, to-wit:

By Mr. McCurry--

A bill to fix the salary of the clerk in the pension office.

The motion prevailed and the bill was reconsidered.

Mr. Heath, vice-Chairman of the Committee on Rules, submitted the following report:

Mr President:

The Committee on Rules recommend that Senate Bill No. 73 be made special and continuing order for next Tuesday, July 31st, also

Senate Bill No. 101 be made special and continuing order for Thursday, July 26.

Respectfully submitted,

E. V. HEATH, Vice-Chairman.

The report was adopted.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has passed by the requisite constitutional majority the following bills of the House, to-wit:

A bill to amend an Act to establish City Court of Savannah.

A bill to repeal an Act to establish City Court of Douglas.

A bill to amend an Act establishing City Court of Nashville.

A bill to repeal an Act to create City Court of Morgan.

A bill to create the City Court of Louisville.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills of the Senate, to-wit:

A bill to fix the salary of the Treasurer of Sumter County.

A bill to establish the City Court in the town of Cleveland.

The following Senate bill was withdrawn from the Committee on General Judiciary No. 1, read the second time and recommitted to said committee, to-wit:

By Mr. Denny—

A bill to fix the age of consent.

The following Senate bill was taken from the table, to-wit:

By Mr. Peacock—

A bill to provide for the establishment of an agricultural school in the 12th Congressional District.

Mr. Merry, of the 8th District, Chairman of the Committee on Penitentiary, submitted the following report:

Mr. President:

Your Committee on Penitentiary has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Bill No. 89 to amend the Act creating a system

of parole or conditional pardon for prisoners convicted of crime, approved September 19, 1908.

Respectfully submitted.

H. H. MERRY, Chairman.

Mr. Dykes, of the 14th District, Chairman of the Committee on Commerce and Labor, submitted the following report:

Mr. President:

Your Committee on Commerce and Labor has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

No. 82, a bill to provide for the payment of all wages due manual, clerical, and mechanical laborers of all corporations, firms or individuals, not including farming, sawmilling or turpentine industries, at least twice a month.

Respectfully submitted,

J. R. DYKES, Chairman, 14th District.

Mr. I. F. Mundy, of the 38th District, Chairman of the Committee on Corporations, submitted the following report:

Mr. President:

Your Committee on Corporations has had under consideration the following bill of the House, and instructed me, as their chairman, to report same back to the Senate, with the recommendation that the same do pass, to-wit:

To create and incorporate the city of White Plains, in the county of Greene.

Respectfully submitted,

I. F. MUNDY, Chairman.

Mr. Hendricks, of the 6th District, Chairman of the Committee on Hygiene and Sanitation, submitted the following report:

Mr. President:

Your Committee on Hygiene and Sanitation has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend an Act to devise the health laws in certain counties of the State of Georgia.

Respectfully submitted,

W. H. HENDRICKS, Chairman.

Mr. W. P. Andrews, of the 35th District, Chairman of the Committee on State of the Republic, submitted the following report:

Mr. President:

Your Committee on State of the Republic has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Senate Bill No. 97, by Mr. Bynum, of the 40th District, to give the consent of the State of Georgia, to the making by Congress of the United States of America or its authority of all such rules and regulations as in the opinion of the Federal

Government may be needful in respect to game animals, game and non-game birds and fish, and for other purposes.

Respectfully submitted,

W. P. ANDREWS, Chairman.

Mr. Dickerson, of the 5th District, Chairman of the Committee on General Judiciary No. 2, submitted the following report:

Mr. President:

Your Committee on General Judiciary No. 2 has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

To prevent adulteration and deception in the manufacture and sale of spirit of turpentine, linseed oil or flaxseed oil, white lead, paints, varnish or filler or stain, to provide for labeling of same, and for other purposes.

Respectfully submitted,

R. G. DICKERSON, Chairman.

Mr. Dickerson, of the 5th District, Chairman of the Committee on General Judiciary No. 2, submitted the following report:

Mr President:

Your Committee on General Judiciary No. 2 has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same be read second time and recommitted.

To abolish fees accruing to the Solicitor-General

of the Oconee Judicial Circuit in pursuant to an Act passed by the General Assembly of Georgia.

R. G. DICKERSON, Chairman.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr. President:

Your Committee on Counties and County Matters has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

No. 317, a bill to abolish the office of County Treasurer of Dade County.

No. 340, a bill to abolish the Board of Roads and Revenues of Walker County, and to create a new Board.

No. 294, a bill to abolish the office of County Treasurer of Walker County.

No. 229, a bill to put the County Treasurer of Chattooga County on a salary.

Respectfully submitted,

E. H. BECK, Chairman.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr. President:

Your Committee on Counties and County Matters has had under consideration the following bills of the Senate, and instructed me, as their chairman, to

report the same back to the Senate, with the recommendation that the same do pass, to-wit:

No. 127, a bill to create a Board of Commissioners of Roads and Revenues for Baker County.

No. 128, a bill to abolish the Board of Commissioners of Roads and Revenues for Baker County.

Respectfully submitted,

E. H. BECK, Chairman.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr President:

Your Committee on Counties and County Matters has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

No. 54, a bill to abolish the Treasurer of White County.

No. 127, a bill to fix the salary of the Treasurer of Glascock County.

No. 188, a bill to fix the compensation or salary of the Treasurer of Sumter County

Respectfully submitted,

E. H. BECK, Chairman.

Mr. Council, of the 13th District, Chairman of the Committee on Game and Fish, submitted the following report:

Mr President:

Your Committee on Game and Fish has had under consideration the following bill of the Senate, and

instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Senate Bill No. 121, entitled an Act for the protection of islands situated within the State of Georgia, and for other purposes.

Respectfully submitted,

M. B. COUNCIL, Chairman.

Mr. Dickerson, of the 5th District, Chairman of the Committee on General Judiciary No. 2, submitted the following report:

Mr President:

Your Committee on General Judiciary No. 2 has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

To amend Section 6165 of the Civil Code of Georgia of 1910, relative to filing of bond under bill of exceptions.

Respectfully submitted,

R. G. DICKERSON, Chairman.

Mr. Dickerson, of the 5th District, Chairman of the Committee on General Judiciary No. 2, submitted the following report:

Mr President:

Your Committee on General Judiciary No. 2 has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Amend Section 3898, Volume 1, Code of 1910, so as to provide for foreclosure of bills of sale in any amount whatsoever, etc., and for other purposes.

Respectfully submitted,
R. G. DICKERSON, Chairman.

Mr. Dickerson, of the 5th District, Chairman of the Committee on General Judiciary No. 2, submitted the following report:

Mr. President:

Your Committee on General Judiciary No. 2 has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill entitled an Act to regulate the practice in carrying certain classes of cases to the Supreme Court and Court of Appeals, and for other purposes.

Respectfully submitted,
R. G. DICKERSON, Chairman.

Mr. Dickerson, of the 5th District, Chairman of the Committee on General Judiciary No. 2, submitted the following report:

Mr. President:

Your Committee on General Judiciary No. 2 has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

An Act to further define and extend the provisions of an Act found in Acts of 1916, pages 126 and 127,

known as the Veazey Bill, to further define and prescribe the duties of Superior Courts, and for other purposes..

Respectfully submitted,
R. G. DICKERSON, Chairman.

Mr. Dickerson, of the 5th District, Chairman of the Committee on General Judiciary No. 2, submitted the following report

Mr. President:

Your Committee on General Judiciary No. 2 has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

To amend Section 4 of the Act establishing the City Court of LaGrange, Troup County, and to increase salary of said City Court Judge.

Respectfully submitted,
R. G. DICKERSON, Chairman.

Under the provisions of House Resolution No. 81, providing for a joint committee to investigate a compilation of the State Constitution by Miss Ella May Thornton, the President appointed Mr. Peacock as a member of said committee on part of the Senate.

The following resolution was read and ordered to lie over under the rules, to-wit:

By Mr. Redwine—

A resolution providing for a joint committee of three from the Senate and five from the House, to

consider the recommendations made by the Governor in his message to the General Assembly.

The following resolution was read the first time and laid over under the rules, to-wit:

By Mr. Gilmore—

A joint resolution providing for a committee of two from the Senate and three from the House, to investigate the several departments of the State and prepare a bill to co-ordinate the same.

The following bill of the House was taken up for a third reading and read the third time, to be put upon its passage, to-wit:

By Messrs. Williams and Culpepper of Meriwether—

A bill to amend an Act incorporating the City of Manchester.

The report of the committee which was favorable to the passage of the bill by substitute was agreed to.

Upon the passage of the bill by substitute, the ayes were 30, and nays, 0.

The bill having received the requisite constitutional majority was passed, by substitute.

The following Senate bills were read the second time, to-wit:

By Mr. Odom—

A bill to abolish the Board of Commissioners of Roads and Revenues for the County of Baker.

By Mr. Odom—

A bill to create a Board of Commissioners of Roads and Revenues for the County of Baker.

By Messrs. Andrews and Elders—

A bill to provide for payment of wages of certain clerical and mechanical laborers, at least twice a month.

By Mr. Mundy—

A bill to amend the Act creating a system of parole.

By Mr. Peacock--

A bill to abolish fees accruing to the Solicitor-General of the Oconee Judicial Circuit.

By Mr. Elders—

A bill to provide for the protection of islands situated within this State, which are maintained as game preserves.

The following Senate bills were read the first time, to-wit:

By Mr. Elders—

A bill to provide for the issue and levy of attachment in foreclosure proceedings for collection of debts in certain cases.

Referred to General Judiciary Committee No. 2.

By Mr. Denny—

A bill to provide for a prima facie presumption, when deeds, mortgages, etc., appear to be executed in one county before an officer of another county.

Referred to Committee on General Judiciary No. 1.

By Mr. Wohlwender—

A bill to fix the qualifications of locomotive firemen.

Referred to Committee on Commerce and Labor.

By Mr. Redwine—

A bill to amend Section 2818, Article 8, Chapter 2, Volume 1 of the Code of 1910, providing for organization of trust companies.

Referred to Committee on Banks and Banking.

By Mr. Townsend—

A bill to authorize the City of St. Marys to close certain portions of certain streets in said city.

Referred to Committee on Corporations.

By Mr. Townsend—

A bill to amend Section 7 of an Act, to provide for the protection of fish, shrimp, etc.

Referred to Committee on Game and Fish.

By Mr. Beck—

A bill to regulate the practice of chiropody.

Referred to Committee on Hygiene and Sanitation.

The following House bills were read the first time, to-wit:

By Mr. Harvin of Calhoun—

A bill to repeal an Act to create the City Court of Morgan.

Referred to Committee on Special Judiciary.

By Mr. Giddens—

A bill to amend an Act to create the City Court of Nashville.

Referred to Committee on Special Judiciary

By Mr. King of Jefferson—

A bill to create the City Court of Jefferson.

Referred to Special Judiciary Committee.

By Mr. Stewart of Coffee—

A bill to repeal an Act to create the City Court of Douglas.

Referred to Committee on Special Judiciary.

By Messrs. Lawrence, Eve and Wylly—

A bill to amend the several Acts relating to the City Court of Savannah.

Referred to Committee on Special Judiciary.

The following House bills were read the second time, to-wit:

By Mr. Lawrence, Wylly and Eve of Chatham—

A bill to amend an Act to revise the health laws in certain counties of the State of Georgia, and for other purposes.

By Mr. Kimsey of White—

A bill to abolish the office of Treasurer of White County.

By Mr. Pace of Sumter—

A bill to fix the compensation or salary of the Treasurer of Sumter County.

By Mr. Hardin of Glascock—

A bill to fix the salary of the Treasurer of Glascock County, and to provide for the payment thereof.

By Mr. Worsham of Chattooga—

A bill to put the County Treasurer of Chattooga County **on a salary**.

By Mr. Don Harris of Walker County—

A bill to abolish the office of County Treasurer of Walker County.

By Messrs. Buxton and Law of Burke—

A bill to amend Section 6165 of the Civil Code of Georgia, 1910, relative to filing of bond under bills of exception.

By Mr. Harris of Walker—

A bill to abolish the Board of Roads and Revenues of Walker County, to create Board of Commissioners of Roads and Revenues.

By Mr. Sibley of Greene—

A bill to create and incorporate the City of White Plains in the County of Greene.

By Mr. Smith of Dade—

A bill to abolish the office of County Treasurer of Dade County.

The following House bills were taken up for the third reading, to-wit:

By Mr. Ayers of Jackson—

A bill to amend the charter of the Town of Hoschton.

The report of the committee which was favorable to the passage of the bill was agreed to.

Upon the passage of the bill, the ayes were 30 and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Bond of Franklin—

A bill to amend the charter of the Town of Carnesville.

Mr. Logan offered the following amendment which was adopted, to-wit:

To amend Section 1 of said Act by adding at the end of said Section 1, the following words, "this Act to become effective and of force on January 1st, 1918."

The report of the committee which was favorable to the passage of the bill was agreed to, as amended.

Upon the passage of the bill as amended, the ayes were 29 and nays 0.

The bill having received the requisite constitutional majority was passed, as amended.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Edwards—

A bill to amend Section 1207 of Volume 2 of the Code of 1910, giving county authorities the right to contract convict labor.

The following substitute was offered, to-wit:
By Mr. Edwards—

A BILL

To amend an Act approved August the 16th, 1916, entitled an Act to amend Section 1207 of the Penal Code of 1910 of said State by striking from said Section the following words, to-wit: “The proportion of convicts which each county shall be entitled to shall be ascertained by the Prison Commission on the basis of their general population as is shown by the latest United States census, except in those counties created since the last United States census and those counties from which new counties have been created; their population shall be based upon the best information obtainable in regard to their population,” and substituting in lieu of the above quoted words and at the place where the said words appear in said Section, the following language, to-wit: “The proportion of convicts which each county shall be entitled to after December the 31st, 1916, shall be ascertained by the Prison Commission on the following basis, to-wit: All the convicts available and to be awarded to and to be apportioned among the counties for use or work on the public works shall be apportioned among said counties on the basis of the total number of miles in length of all public roads existing in said county on January 1, 1916, which mileage is to be ascertained by the Prison Commission, and for

other purposes;" by adding at the end of Section 1 of said Act and after the word "convicts" the following words: "Provided, that if any county or counties of this State should desire to turn over its proportion of the felony and misdemeanor convicts to any county or counties of this State for a money or valuable consideration it may do so by the consent and approval of the Prison Commission, said money or valuable consideration to be paid by the county or counties receiving such convicts out of any road funds that it may have. The money thus received to become a part of the road funds of the county so disposing of its convicts and to be used on the public roads, bridges, or other public works of said county, and for other purposes."

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by the authority of the same, That Section 1 of the Act approved August 16th, 1916, entitled an Act to amend Section 1207 of the Penal Code of 1910 of said State by striking from said Section the following words, to-wit: "The proportion of convicts which each county shall be entitled to shall be ascertained by the Prison Commission on the basis of their general population as is shown by the latest United States census, except in those counties created since the last United States census and those counties from which new counties have been created, their proportion shall be based upon the best information obtainable in regard to their population," and sub-

stituting in lieu of the above quoted words and at the place where the said words appear in said Section, the following language, to-wit: "The proportion of convicts which each county shall be entitled to after December the 31st, 1916, shall be ascertained by the Prison Commission on the following basis, to wit All the convicts available and to be awarded to and to be apportioned among the counties for use on work on the public roads, bridges, or other public works shall be apportioned among said counties on the basis of the total number of miles, in length, of all public roads existing in said county on January the 1st, 1916, which mileage is to be ascertained by the Prison Commission, and for other purposes," be and the same is hereby amended by adding at the end of Section 1 of said Act and after the word "convicts," the following words: "provided, that if any county or counties of this State should desire to turn over its proportion of the felony and misdemeanor convicts to any county or counties of this State for a money or valuable consideration it may do so by the consent and approval of the Prison Commission, said money or valuable consideration to be paid by the county or counties receiving such convicts out of any road funds it may have. The money thus received to become a part of the road funds of the county so disposing of its convicts and to be used on the public roads, bridges, or other public works of said county, so that when said Section is thus amended it will read as follows: 1207, Male Felony Convicts; how disposed of. All male felony convicts, except such as are now required by law to be kept at the State farm, may after March

the 31st, 1909, be employed by the authority of the several counties and municipalities, upon the public roads, bridges, or other public works of said county or municipalities as hereinafter provided, on or before the 10th day of February, 1909, and annually thereafter, prior to the 10th of February, the Prison Commission shall communicate with the county authorities of the State and ascertain those counties desiring to use convict labor upon their public roads and said counties shall, through their proper authorities, advise the Prison Commission, in writing, whether they desire to use such labor upon their roads, and the number desired. The proportion of convicts which each county shall be entitled to after December the 31st, 1916, shall be ascertained by the Prison Commission on the following basis, to wit: All convicts available and to be awarded to and to be apportioned among the counties for use or work on the public roads, bridges, or other public works shall be apportioned among said counties on the basis of the total number of miles, in length, of all public roads existing in said county on January the 1st, 1916, which mileage is to be ascertained by the Prison Commission. Should any county desire to work more than the proportion of its convicts upon its roads, the county authorities shall, in writing, make requisition upon the Prison Commission for the number wanted in excess of their proportion, and the Prison Commission shall furnish the number so required to be paid for by the counties as hereinafter provided. Any two or more of said counties of this State may combine for the purpose of working and improving roads of their respective

counties, by and with the consent and approval of the Prison Commission. In proportioning the convicts to the several counties the Prison Commission shall have power, in their discretion, to award to other counties than the one in which the conviction was had. A county shall have the right, upon the approval of the Prison Commission, to deliver its quota of felony convicts and also its misdemeanor convicts, if it so desires, to another county to be used in the construction and repair of public roads, bridges, or other public works and the county so receiving such convicts shall have the right to compensate the county from which the convicts came with work upon its public roads, bridges or public works, or by the exchange of an equal number of convicts, provided, that if any county or counties of this State should desire to turn over its proportion of the felony and misdemeanor convicts to any county or counties of this State for a money or valuable consideration it may do so, by the consent and approval of the Prison Commission, said money or valuable consideration to be paid by the county or counties receiving such convicts out of any road funds it may have. The money thus received to become a part of the road funds of the county so disposing of its convicts and to be used on the public roads, bridges, or other public works of said county."

SEC. 2. Be it further enacted by the authority aforesaid, That this amendment shall not be of force or go into effect until January the 1st, 1918.

SEC. 3. Be it further enacted by the authority aforesaid, That all laws and parts of laws in conflict

with this Act, be and the same are, hereby repealed.

Mr. Bynum offered the following amendment to the substitute, to-wit:

Amend Section 1 of the substitute for bill No. 10 by adding after the last word of Section 1 thereof the following words, to-wit: "provided, that no county shall have the right to lease such convicts unless the grand jury thereof shall have recommended leasing of same as provided in this Act."

Upon the adoption of the amendment to the substitute the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Dukes, J. P.	Leonard, R.
Beauchamp, J. C.	Edwards, Chas. H.	Loftin, Frank S.
Beck, E. H.	Elders, H. H.	Logan, J. B. G.
Blackwell, F. M.	Ficklen, Boyce.	Merry, H. H.
Brown, T. A.	Gilmore, George.	Mundy, I. F.
Bynum, T. L.	Hendricks, W. H.	Odom, J. C.
Council, M. B.	Hopkins, H. W.	Peacock, D. Roscoe
Davison, James.	Hullender, W. C.	Riner, M. T.
Denny, R. A.	Humber, R. T., Jr.	Stevens, C. O.
Dickerson, R. G.	Kirby, J. T.	Weaver, W. F.

Those voting in the negative were Messrs.—

Carswell, Geo. H.	Moore, J. B.	Townsend, S. C.
Heath, E. V.	Redwine, C. D.	Wohlwender, Ed.
Mills, Joe Brown.		

Those not voting were Messrs.—

DeJarnette, H. R.	Field, Alonzo.	Yeoman, Sol. J.
Dykes, J. R.	Price, H. H.	

Ayes, 30; nays, 7

The amendment was adopted.

Upon the adoption of the substitute as amended

the ayes and nays were ordered, and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Dickerson, R. G.	Hullender, W. C.
Beauchamp, J. C.	Dukes, J. P.	Humber, R. T., Jr.
Beck, E. H.	Dykes, J. R.	Loftin, Frank S.
Blackwell, F. M.	Edwards, Chas. H.	Logan, J. B. G.
Brown, T. A.	Elders, H. H.	Mundy, I. F.
Bynum, T. L.	Ficklen, Boyce.	Odom, J. C.
Carswell, Geo. H.	Field, Alonzo.	Peacock, D. Roscoe.
Council, M. B.	Gilmore, George.	Stevens, C. O.
Davison, James.	Hendricks, W. H.	Weaver, W. F.

Those voting in the negative were Messrs.—

Denny, R. A.	Leonard, R.	Redwine, C. D.
Heath, E. V	Merry, H. H.	Riner, M. T.
Hopkins, H. W.	Mills, Joe Brown.	Townsend, S. C.
Kirby, J. T.	Moore, J. B.	Wohlwender, Ed.

Those not voting were Messrs.—

DeJarnette, H. R.	Price, H. H.	Yeoman, Sol. J.
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Ayes, 27; nays, 12.

The substitute as amended was adopted.

The bill was read the third time and the report of the committee which was favorable to the passage of the bill was agreed to, by substitute.

Upon the passage of the bill by substitute the ayes were 28, and nays 0.

The bill having received the requisite constitutional majority was passed, by substitute.

The following Senate bill was read the third time to be put upon its passage, to-wit:

By Mr. Field—

A bill to amend the charter of the Town of Stone Mountain.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 30 and nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Dickerson—

A bill to propose an amendment to Paragraph 2, Section 1, Article 11 of the Constitution of Georgia, so as to create the new County of Atkinson.

The bill was read the third time.

The report of the committee which was favorable to the passage of the bill, by substitute, was agreed to.

Upon the passage of the bill by substitute, this being a constitutional amendment, the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Dykes, J. R.	Loftin, Frank S.
Beauchamp, J. C.	Edwards, Chas. H.	Logan, J. B. G.
Beck, E. H.	Elders, H. H.	Merry, H. H.
Blackwell, F. M.	Ficklen, Boyce.	Mundy, I. F.
Brown, T. A.	Field, Alonzo.	Odum, J. C.
Bynum, T. L.	Gilmore, George.	Peacock, D. Roscoe.
Carswell, Geo. H.	Hendricks, W. H.	Price, H. H.
Council, M. B.	Hopkins, H. W.	Redwine, C. D.
Davison, James.	Hullender, W. C.	Stevens, C. O.
Denny, R. A.	Humber, R. T., Jr.	Townsend, S. C.
Dickerson, R. G.	Kirby, J. T.	Wohlwender, Ed.
Dukes, J. P.	Leonard, R.	

Those voting in the negative were Messrs.—

Heath, E. V

Moore, J. B.

Weaver, W. F.

Mills, Joe **Brown**.

Riner, M. T.

Those not voting were Messrs.—

DeJarnette, H. R.

Yeoman, Sol. J.

Ayes, 35; nays, 5.

The bill having received the requisite constitutional majority was passed by substitute, and the substitute is as follows, to-wit:

A BILL

To be entitled an Act to propose to the qualified electors of this State an amendment to Paragraph 2, Section 1, Article 11, of the Constitution of the State of Georgia, as amended by the ratification by the qualified electors of this State of the Acts approved July 19, 1904, July 31, 1906, July 30 and August 14, 1912, July 7, 17, 27 and August 11, 1914, and for other purposes.

SECTION. 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by the authority of the same, That the following amendment is hereby proposed to Paragraph 2, Section 1, Article 11, of the Constitution of the State of Georgia, as amended by the ratification by the electors of said State of the Acts approved July 19, 1904, July 31, 1906, July 10 and August 14, 1912, July 7, 17, 27, and August 11, 1914, to-wit: By adding to said Paragraph the following language: "*Provided, however, That, in addition to the counties now provided for by this Constitution, there shall be a new*

county laid out and created from territory embraced in Coffee and Clinch counties within the following boundary lines :

Beginning at the point where the southern boundary line of lot of land No. 334, in the fifth land district of Coffee County, intersects the middle of the run of Willacoochee creek, then follow the said land line directly east to the southeast corner of lot of land No. 15, in the 6th land district of Coffee county; thence south along the eastern boundary of lot of land No. 16, in the 6th land district to the southwest corner of said lot of land; thence along the land line directly east to where it intersects the middle of the run of the Satilla River; thence in a southeasterly direction along the run of the said Satilla River to where the same intersects the Northern boundary of lot of land No. 250 in the 6th land district; thence directly east along said line to where it intersects the Ware county line; thence in a southerly direction along the Ware county line to the northeast corner of lot of land No. 233 in the 7th land district of Clinch county; thence directly westward along the land line of said lot of land No. 233 on the north to where it intersects the middle of the run of the Alapaha river; thence in a northerly direction along the middle of the run of the Alapaha river to the mouth of Willacoochee creek to the point of beginning.

That said new county shall be known as Atkinson County and the City of Pearson shall be the county seat thereof.

That said Atkinson County shall be attached to the

Eleventh Congressional District, the Waycross judicial circuit and the Fifth Senatorial District.

That all the legal voters residing within the limits of the County of Atkinson, entitled to vote for members of the General Assembly under the laws of Georgia, on the first Wednesday in December following the ratification of this proposed amendment, shall elect an Ordinary, a Clerk of the Superior Court, Sheriff, Coroner, Tax Collector, Tax Receiver, County Surveyor and County Treasurer for said new county, said election to be held at the militia district court houses at Willacoochee, Pearson and Axson, in the manner now provided by law for holding elections for county officers, and said county officers-elect shall qualify and enter upon the discharge of their respective duties on the first day of January following their election, and shall hold their offices for a term of two years or until their successors shall be duly elected and qualified.

That the Superior Courts of said Atkinson county shall be held on the fourth Mondays in January and June of each year.

That the Congressional and Senatorial Districts, the judicial circuit to which said county of Atkinson is attached, the time of holding the terms of the Superior Courts, and the limits of the county shall remain as designated above until the same shall be changed by law *Provided*, that the laws applicable to the organization of new counties, found in Sections 829 to 848, inclusive, Code of 1910, are hereby made applicable to the county of Atkinson whenever the same may be created by the proposed amend-

ment to the Constitution and that said county, when created, shall become a "Statutory County" and shall at all times be subject to all laws applicable to all other counties in this State.

SEC. 2. Be it further enacted by the authority aforesaid, That whenever the proposed amendment to the Constitution shall be agreed to by two-thirds of the members elected to each of the two houses of the General Assembly, and the same has been entered on their journals, with the yeas and nays thereon, the Governor shall, and he is hereby authorized and instructed to, cause the proposed amendment to be published in at least two newspapers in each Congressional district in this State, for the period of two months next preceding the time of holding the next general election; and the Governor is further authorized and instructed to provide for the submission of the amendment proposed for ratification or rejection to the electors of the State at the next general election to be held after said publication, at which election every person shall be qualified to vote who is entitled to vote for members of the General Assembly. All persons voting at said election in favor of adopting the proposed amendment shall have written or printed on their ballots the words "For the Amendment to the Constitution creating the county of Atkinson;" and all persons opposed to the adoption of the proposed amendment shall have written or printed on their ballots the words, "Against the Amendment to the Constitution creating the county of Atkinson."

If a majority of the electors qualified to vote for

members of the General Assembly voting thereon shall vote for the ratification of the proposed amendment, then the Governor shall, when he ascertains the same from the Secretary of State, to whom the returns from said election shall be referred in the manner as in cases of election for members of the General Assembly to count and ascertain the result, issue his proclamation, for one insertion in one daily paper in the State, announcing such results and declaring the amendment ratified.

SEC. 3. Be it further enacted by the authority aforesaid, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Peacock—

A bill to provide for the establishment of an Agricultural school in the 12th Congressional District.

The bill was read the third time.

The report of the committee which was favorable to the passage of the bill, by substitute, was agreed to.

Upon the passage of the bill by substitute, the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Council, M. B.	Dykes, J. R.
Beauchamp, J. C.	Davison, James.	Edwards, Chas. H.
Brown, T. A.	Dickerson, R. G.	Elders, H. H.
Bynum, T. L.	Dukes, J. P.	Ficklen, Boyce.

Gilmore, George.	Mills, Joe Brown.	Riner, M. T.
Hendricks, W. H.	Mundy, I. F.	Stevens, C. O.
Humber, R. T., Jr.	Odom, J. C.	Townsend, S. C.
Logan, J. B. G.	Peacock, D. Roscoe.	Weaver, W. F.
Merry, H. H.	Price, H. H.	

Those voting in the negative were Messrs.—

Carswell, Geo. H.	Hopkins, H. W.	Leftin, Frank S.
Denny, R. A.	Hullender, W. C.	Moore, J. B.
Field, Alonzo.	Kirby, J. T.	Redwine, C. D.
Heath, E. V.	Leonard, R.	Wohlwender, Ed.

Those not voting were Messrs.—

Beck, E. H.	DeJarnette, H. R.	Yeoman, Sol. J.
Blackwell, F. M.		

Ayes, 26; nays, 12.

The bill having received the requisite constitutional majority was passed by substitute, and the substitute is as follows, to-wit:

A BILL

To provide for the establishment and maintenance of an Agricultural District School and Mechanic Arts in the Twelfth Agricultural District of Georgia.

SEC. 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That the Governor of Georgia is hereby authorized to establish and cause to be maintained a 12th Agricultural District School, to be composed of the following counties: Bleckley, Dodge, Emanuel, Houston, Johnson, Laurens, Montgomery, Pulaski, Telfair, Toombs, Twiggs, Wheeler and Wilcox, of this State, an Industrial and Agricultural School in accordance with the provisions of this Act and of the Act approved August 18th, 1906,

on pages 72 to 75, inclusive, Acts of 1906, entitled "An Act to provide for the establishment and maintenance of School of Agriculture and Mechanic Arts in the respective Congressional Districts of this State," and all amendments thereto. Said school shall be a branch of the State College of Agriculture, a department of the University of Georgia. The General Board of Trustees of the University of Georgia shall exercise such supervision as in their judgment may be necessary to secure the unity of plan and efficiency in said school.

SEC. 2. Be it further enacted, That the Governor is authorized and directed to appoint from each county in the territory embraced in said District Agricultural School, one trustee for the School, such trustees to hold office for the term of six years from their appointment and until their successors are appointed and that the trustees so selected in said District shall constitute a Board of Trustees, for the School in said District, with power to control the management of said school and make the rules and regulations for the same, subject to the provisions of this Act and the Act approved August 18th, 1906, and amendments thereto, above referred to.

SEC. 3. Be it further enacted, That the Governor shall be authorized to receive from any county or any of the citizens thereof in said District, a donation of a tract of land in such county, not less than two hundred acres, on which to locate the school, together with any additional donation in the way of buildings or money; and if there are two or more of

said donations, the Governor, with the aid of the Trustees of said school, shall select which to accept, taking into consideration the title, value, centralness of location, accessibility, and suitableness in any respect for the purpose intended and upon acceptance of any such donation and the execution of proper deeds vesting title in the trustees, within a reasonable time the school for the district shall be established on the tract selected, with the right to select another location should deed not be made to the satisfaction of the Governor, and, if no such donation is made or perfected in said district within two years from the passage of this Act, the pro rata share of the fund going to said District School shall go into and be a part of the regular common school fund in said State.

SEC. 4. Be it further enacted, That all the provisions of the Act approved August 18th, 1906, referred to hereinbefore, and all later amendments, shall apply to said 12th Agricultural District School, established by this Act, in the same manner and to the same extent as said Act provides for the eleven other district schools herein referred to.

SEC. 5. Be it further enacted by the authority aforesaid, That the trustees of this school shall have authority and power to establish a Military Training within their discretion.

SEC. 6. Be it further enacted by the authority aforesaid, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

The following Senate bill was taken up for a third

reading and action on the same was postponed until Monday, July 30, 1917, at 12 o'clock M., to-wit:

By Messrs. Andrews and Heath—

A bill to amend Section 431 of the Code of 1910, providing that counties shall have authority to issue bonds for inter-county improvements.

The following Senate bill was taken up for a third reading, to-wit:

By Mr. Loftin—

A bill to repeal Section 3296 of the Code of 1910, which provides for notice to mortgagors in foreclosing mortgages.

The bill was read the third time.

The report of the committee which was favorable to the passage of the bill was agreed to.

Upon the passage of the bill the ayes were 25, and nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. McCurry—

A bill to amend Section 925 of the Code of 1910, so as to confer upon conductors of freight trains the same police powers as are now given to conductors on passenger trains.

The bill was read the third time.

The report of the committee which was favorable to the passage of the bill was agreed to.

Upon the passage of the bill the ayes were 25, and nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Weaver—

A bill to amend Section 6068 of the Code of 1910, so as to provide for the granting by the Ordinary of orders for sale of perishable property in certain cases.

The bill was read the third time.

The report of the committee which was favorable to the passage of the bill was agreed to.

Upon the passage of the bill the ayes were 26 and nays 0.

The bill having received the requisite constitutional majority was passed.

Mr. DeJarnette, Chairman, on part of the Senate, of the joint committee, charged with the duty of inquiring into the present status of the State archives, submitted the following report, to-wit:

Mr President:

We, the joint committee, appointed from the House and Senate to inquire into the present status of the State's official archives and to recommend appropriate legislation relative thereto, beg leave to submit the following report:

First, your committee finds that in almost every

department of the State government conditions exist which call for immediate relief. These conditions are, in some instances, exceedingly grave, if not actually alarming, and unless something is done at once to safeguard the State's official archives many of these records will be lost to the State. Most of the departments are so inundated by current business that space cannot be found for current records, much less for records which relate to former periods.

In consequence of this condition of affairs, proper care cannot be given to old records. These are frequently crowded into dark corners, and, besides suffering from neglect, are exposed to various hazards, such as fire, mildew and vermin. Even where shelf-room is provided, not a few of these records are in the last stages of decay and are ready to fall to pieces. This menace to our archives is all the more serious since many of these records deal with periods, the history of which has not been written. From 1784 to 1861, a period of seventy-seven years, there exists a yawning gap which no historian has yet bridged, except in meagre outline. The same is likewise true of the period from 1865 down to the present time; and if Georgia's history for these periods is ever completed, the records from which alone such history can be derived must be furnished with adequate safeguards. The value of some of these records to the State is beyond computation.

But the worst is yet to be told. For years, in a certain room on the third floor of the capitol, designated by Prof. U. B. Phillips, in a paper prepared by him in 1903, as "an overflow document room of

the Executive Department," there were kept some exceedingly rare records, mention of which was made by Mr. Phillips, in connection with a list carefully prepared by him of Georgia's then existing official archives. Changes of administration, together with a lack of any fixed responsibility in the matter, caused this document room to be overlooked. Consequently, when quarters were needed some time ago for a new department, this room was appropriated. Its contents, the value of which no one at the time realized, for the reasons above given, were loosely transferred to the basement and there left in a heap which the janitor, mistaking for a pile of rubbish, proceeded to use for purposes of fuel. How much has been lost to the State in the destruction of these records cannot be ascertained, but few, if any, of the papers listed by Prof. Phillips as belonging to the Executive Department can now be found. Among the fragments rescued from the basement were certain documents relating to the State Road and long sought by the W and A. Commission. What still remains of this pile of papers is now preserved in two large boxes, in the Compiler's office, awaiting further investigation. Testimony to establish these facts has been furnished by the State Librarian, by the Secretary of the W and A. Commission and by the Compiler of Records.

Such conditions clamor for redress. It is, therefore, imperative that something be done at once. For lack of room, these records cannot be safeguarded in the various departments. Moreover, this course would involve an outlay of money which the stringency of the times will not permit. But the

situation can be well met if these records are gathered together in one central place for purpose of protection, and such a place can be secured by remodeling at small expense certain alcoves of the building which your committee has inspected.

To prevent further destruction of the State's official archives, therefore, we recommend that such of the archives as are not at present properly protected be gathered together in one place and under one competent head; that the Compiler of Records be charged with the custody of these archives, when so collected; and that a sum not exceeding two thousand dollars be appropriated for this purpose, out of the State treasury, to be expended under the Governor's official warrant.

(Signed)

H. R. DEJARNETTE,

R. A. DENNY,

From the Senate.

SEABORN WRIGHT,

WM. F. JONES,

From the House.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Townsend—

A bill to encourage the planting and cultivation of oysters.

Mr. Townsend offered the following amendment which was adopted, to-wit:

Amend Section 20 of said bill by striking the words and figures "Fifty (\$50.00) Dollars," where

the same appears and substituting the words and figures "Twenty-five (\$25.00) Dollars."

The bill was read the third time.

The report of the committee which was favorable to the passage of the bill was agreed to, as amended.

Upon the passage of the bill as amended the ayes were 32 and nays 0.

The bill having received the requisite constitutional majority was passed, as amended.

Upon motion of Mr. Wohlwender the Senate adjourned until 10 o'clock tomorrow morning.

SENATE CHAMBER, ATLANTA, GA.

Friday, July 27, 1917

The Senate met pursuant to adjournment at 10 o'clock A. M. and was called to order by the President pro tem., Hon. D. Roscoe Peacock.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names, to-wit:

Andrews, W. P.	Eiders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Pynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loftin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	Merry, H. H.	Mr. President.
Edwards, Chas. H.		

Mr. Dickerson gave notice that at the proper time he would move to reconsider Senate Bill No. 67

By unanimous consent the reading of the Journal of yesterday's session was dispensed with.

Mr. Dickerson moved to reconsider the action of the Senate of yesterday in passing the following bill of the Senate, to-wit:

By Mr. McCurry—

A bill to amend Section 925 of the Code of 1910, so as to confer upon conductors of freight trains the

same police powers as are now given conductors on passenger trains.

The motion prevailed and the bill was reconsidered.

Mr. Mundy, of the 38th District, Chairman of the Committee on Corporations, submitted the following report:

Mr President:

Your Committee on Corporations has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Bill No. 131, to authorize and empower the City of St. Marys to close certain portions of certain streets in said city, and for other purposes.

Respectfully submitted,

I. F. MUNDY, Chairman.

Mr. Denny, of the 42nd District, Vice-Chairman of the Committee on Finance, submitted the following report:

Mr President:

Your Committee on Finance has had under consideration the following bills of the Senate, and instructed me, as their vice-chairman, to report the same back to the Senate, with the recommendation that the same do pass, by substitute, to wit:

Bill No. 80, to relieve the property of tax receivers from lien prior to execution against them, etc.

Bill No. 59, providing for the collection of taxes

due to the State, counties, and municipalities, and schools thereof, etc.

Also they recommend that the following Senate bill do pass, to-wit:

Bill No. 100, to amend an Act approved August 14, 1913, to regulate the return and assessment of property for taxation, etc.

R. A. DENNY, Vice-Chairman.

Mr. Hullender, of the 44th District, Chairman of the Committee on Enrollment, submitted the following report:

Mr. President:

Your Committee on Enrollment report as duly enrolled and ready for the signature of the President of the Senate and Speaker of the House, the following Act, to-wit:

An Act to provide uniformity in the composition of Board of Commissioners of Roads and Revenues in Floyd County.

Respectfully submitted,

W. C. HULLENDER, Chairman.

Mr. Hullender, of the 44th District, Chairman of the Committee on Enrollment, submitted the following report:

Mr. President:

Your Committee on Enrollment report as duly signed by the President of the Senate and Speaker of the House, and delivered to the Governor, the following Act, to wit:

An Act to provide uniformity in the composition

of Board of Commissioners of Roads and Revenues in Floyd County.

Respectfully submitted,
W C. HULLENDER, Chairman.

Mr. Field, of the 34th District, Chairman of the Committee on General Judiciary No. 1, submitted the following report:

Mr. President:

Your Committee on General Judiciary No. 1 has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, as amended, to wit:

A bill to make it a misdemeanor for any man, without just cause, to desert or fail to support his wife in destitute circumstances.

Your committee has also had under consideration the following bill of the House, which I am instructed to report back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to provide for holding four terms a year of Clarke County Superior Court.

Respectfully submitted,
ALONZO FIELD, Chairman.

Mr. Wohlwender, of the 24th District, Chairman of the Committee on Constitutional Amendments, submitted the following report:

Mr. President:

Your Committee on Constitutional Amendments has had under consideration the following bill of

the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to wit:

Senate Bill No. 115, a bill to be entitled an Act to submit to the qualified voters of the State at the general election, to be held November 5th, 1918, for their consideration, an amendment to the Constitution of the State, so as to give women the right of exercising the elective franchise.

Respectfully submitted,

ED. WOHLWENDER, Chairman.

Mr. Mundy, of the 38th District, Chairman of the Committee on Corporations, submitted the following report:

Mr President:

Your Committee on Corporations has had under consideration the following House Bill, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend an Act entitled an Act to incorporate the town of Wrens in the county of Jefferson, and for other purposes.

I. F. MUNDY, Chairman.

Mr. Mundy, of the 38th District, Chairman of the Committee on Corporation, submitted the following report:

Mr President:

Your Committee on Corporations has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same

back to the Senate, with the recommendation that the same do pass, to-wit:

To incorporate the Town of Wrens in the County of Jefferson.

I. F. MUNDY, Chairman.

The following Senate Bill was withdrawn, to-wit:

By Mr. Blackwell—

A bill to repeal an Act to incorporate Ball Ground School District in Cherokee County.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House agrees to Senate amendment to the following bill of the House, to-wit:

A bill to amend an Act to incorporate the City of Cuthbert.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bill of the Senate, to-wit:

A bill to create a Board of Supervisors of Roads for the county of Murray.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitu-

tional majority the following bills of the House, to-wit:

A bill to provide for nomination by political parties in this State of candidates for United States Senator, Governor, and State House officers.

A bill to amend an Act to create a new charter for the City of Newnan.

A bill to amend an Act to establish a system of public schools in the City of Newnan.

A bill to amend an Act to incorporate the Town of Lula.

A bill to change the time for holding the Superior Court of Wheeler County.

A bill to amend an Act to create a Board of County Commissioners for Wilcox County.

A bill to amend an Act to establish the charter of the City of LaGrange.

A bill to amend an Act creating a Board of County Commissioners for Brooks County.

The House has adopted the following resolutions of the House, to-wit:

A resolution to accept the surrender to the State of the charter of the Clarkesville Street Railway Company.

A resolution relative to appointment of committee to digest and examine the message of His Excellency, the Governor, to the General Assembly.

The following Senate Bills were withdrawn from their committees, read the second time and recommitted, to-wit:

By Mr. Andrews—

A bill to fix the compensation for deputy sheriffs serving in Superior, City and Criminal Courts in counties of 110,000 population, or more.

Recommitted to General Judiciary Committee, No. 2.

By Messrs. Andrews and Heath—

A bill to amend Paragraph 1 of Article 7 of the Constitution of Georgia, regulating the powers of taxation.

Recommitted to Constitutional Amendments Committee.

The following House Bills were read the second time, to-wit.

By Mr. Harris of Walker—

A bill to abolish the Board of Commissioners of Roads and Revenues for Walker County

Recommitted to Committee on Counties and County Matters.

By Mr. Harris of Walker—

A bill to abolish the office of Treasurer of Walker County.

Recommitted to Committee on Counties and County Matters.

By Messrs. Wyatt and Bankston—

A bill to amend Section 4 of the Act to establish the city court of LaGrange.

Recommitted to Committee on General Judiciary No. 2.

By Brown of Clarke—

A bill to provide for four terms a year of Clarke Superior Court.

The following House bills were taken up for a third reading, to be put upon their passage, to-wit:

By Mr. Akin of Glynn—

A bill to amend the charter of the City of Brunswick.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Eve, Wyly and Lawrence—

A bill to amend an Act to create a Recreation Commission for the City of Savannah.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Worsham of Chattooga—

A bill to put the County Treasurer of Chattooga County upon a salary.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Smith of Dade—

A bill to abolish the office of County Treasurer of Dade County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. King of Jefferson—

A bill to amend an Act to incorporate the Town of Wrens.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Hatcher of Wayne—

A bill to amend the Act establishing the City Court of Jesup, in the County of Wayne.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Lawrence, Wyllly and Eve—

A bill to revise the health laws in certain counties of the State of Georgia.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Sibley of Greene—

A bill to incorporate the city of White Plains.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Timmerman and Pace—

A bill to amend the charter of the Town of Leslie.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Taylor of Monroe—

A bill to provide for holding four terms a year of Superior Court for Monroe County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. King of Jefferson—

A bill to incorporate the Town of Wrens.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Kimsey of White—

A bill to abolish the office of County Treasurer of White County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Kelley and Green of Gwinnett—

A bill to amend the charter of the Town of Grayson.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Swift, Neill and Hatcher—

A bill to require all political parties in Muscogee County to nominate their candidates for county offices by primary elections.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Lawrence, Wyly and Eve—

A bill to authorize the city authorities of Savannah to close and convey a certain lane.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Lawrence, Eve and Wylly—

A bill to authorize the mayor and aldermen of Savannah to close a portion of Henry street lane.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Cook of Miller—

A bill to create the City Court of Miller County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Cook of Miller—

A bill to repeal an Act to provide for the holding of four terms a year of Superior Court of Miller County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Hardin of Glascock—

A bill to fix the salary of the Treasurer of Glascock County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bills were read the second time, to wit:

By Messrs. Heath and Elders—

A bill to regulate the practice in carrying certain classes of cases to the Supreme Court and Court of Appeals.

By Mr. Elders—

A bill to amend an Act approved August 14, 1913, to regulate the return and assessment of property for taxation.

By Mr. Hopkins—

A bill to make it a misdemeanor for any man, without just cause, to desert his wife in destitute circumstances.

By Mr. Elders (by request)—

A bill to submit to the qualified voters, an amendment to the Constitution, so as to give women the right of franchise.

By Mr. Elders—

A bill to further define and extend the provisions

of an Act found on pages 126 and 127 of Acts of 1916, known as the Veazey Bill.

By Mr. Townsend—

A bill to empower the City of St. Marys to close certain streets in said city.

By Mr. Davison—

A bill to amend Section 3298, Volume 1, of the Code of 1910, relating to foreclosure of bills of sale.

By Messrs. Andrews and Price—

A bill to relieve property of tax receivers from any lien prior to the execution against them for the payment of any taxes collected by them, and for the failure of any official duty.

The following House bills were read the first time, to-wit:

By Mr. Bankston of Troup—

A bill to amend the charter of the City of La-Grange.

Referred to Committee on Corporations.

By Messrs. Palmour and Davenport of Hall—

A bill to amend the charter of the Town of Lula.

Referred to Committee on Corporations.

By Mr. Sumner of Wheeler—

A bill to change the time of holding the Superior Court of Wheeler County.

Referred to Committee on Special Judiciary.

By Messrs. Turner and McCall of Brooks—

A bill to amend an Act creating the Board of Com-

missioners of Roads and Revenues for the County of Brooks.

Referred to Committee on Counties and County Matters.

By Mr. Maynard of Wilcox—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Wilcox County.

Referred to Committee on Counties and County Matters.

By Messrs. Arnold and Jones of Coweta—

A bill to amend the charter of the City of Newnan.

Referred to Committee on Corporations.

By Mr. Neill of Muscogee—

A bill to provide for nomination by political parties of candidates for United States Senator, Governor, State House officers, Justices of the Supreme Court, and Judges of the Court of Appeals.

Referred to Committee on Privileges and Elections.

By Messrs. Arnold and Jones of Coweta—

A bill to amend an Act to establish a system of public schools in the City of Newnan.

Referred to Committee on Education.

The following House resolution was read the first time, to-wit:

By Mr. Kimzey of Habersham—

A resolution accepting the surrender of the charter of the Clarkesville Street Railway Company.

Referred to Committee on Railroads.

The following House resolution was read and laid over under the rules, to-wit:

By Mr. McCall of Brooks—

A resolution relative to the appointment of a committee to digest the message of the Governor to the General Assembly.

The following Senate bills were read the first time, to-wit:

By Mr. Townsend—

A bill to prevent the shipment of tick infested cattle into and within the State of Georgia.

Referred to Committee on Agriculture.

By Mr. Andrews—

A bill to amend an Act providing for the regulation of the practice of a barber.

Referred to Committee on Commerce and Labor.

By Messrs. Andrews, Peacock, and others—

A bill to enable persons qualified to vote in primary elections, or elections held by any municipality in this State, and who are absent from the county of their residence, to vote by registered mail.

Referred to Committee on Privileges and Elections.

The following Senate bills were taken up for a third reading to be put upon their passage, to-wit:

By Messrs. Andrews and Elders—

A bill to provide for the payment of all wages

due manual, clerical and mechanical laborers, of all corporations, not including farming, sawmill and turpentine industries, at least twice a month.

Mr. Bynum offered the following amendment which was adopted, to wit:

Amend Section 1 by inserting after the last word in the last line thereof, the following words, to wit:

“Provided no person, firm or corporation shall be convicted of such offense, in event such person, firm or corporation is not in a financial condition to pay said wages or salary, but insolvency shall be the only defense to an indictment for such an offense. And an extension of time within which to pay said wages or salary shall operate to make the offense, under this Act, to be committed on date last agreed upon for payment of same.”

The bill was read the third time.

The report of the committee, which was favorable to the passage of the bill, was agreed to, as amended.

Upon the passage of the bill as amended, the ayes and nays were ordered and the vote was as follows, to wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	DeJarnette, H. R.	Leonard, R.
Beauchamp, J. C.	Denny, R. A.	Lofstin, Frank S.
Blackwell, F. M.	Dukes, J. P.	Logan, J. B. G.
Brown, T. A.	Ficklen, Boyce.	Merry, H. H.
Bynum, T. L.	Field, Alonzo .	Moore, J. B.
Carswell, Geo. H.	Hopkins, H. W.	Mundy, I. F.
Council, M. B.	Hullender, W. C.	Odom, J. C.
Davison, James.	Kirby, J. T.	Peacock, D. Roscoe.

Riner, M. T.	Weaver, W. F.	Yeoman, Sol. J.
Stevens, C. O.	Wohlwender, Ed.	

Those voting in the negative were Messrs.—

Heath, E. V	Townsend, S. C.
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Those not voting were Messrs.—

Beck, E. H.	Elders, H. H.	Mills, Joe Brown.
Dickerson, R. G.	Gilmore, George.	Price, H. H.
Dykes, J. R.	Hendricks, W. H.	Redwine, C. D.
Edwards, Chas. H.	Humber, R. T., Jr.	

Ayes, 29; nays 2.

The bill having received the requisite constitutional majority was passed as amended.

Upon motion of Mr. Andrews Senate Bill No. 82 was ordered immediately transmitted to the House.

By Odum—

A bill to abolish a Board of Commissioners of Roads and Revenues for the County of Baker.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Odom—

A bill to create a Board of Commissioners of Roads and Revenues for the County of Baker.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Mundy—

A bill to amend an Act fixing the compensation of the County Treasurer of Polk County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 27, and nays 0.

The bill having received the requisite constitutional majority was passed.

Leave of absence was granted Mr. Moore for next Monday and Tuesday.

Upon motion of Mr. Wohlwender, the Senate adjourned until Monday, July 30th, 1917, at 11.15 o'clock A. M.

SENATE CHAMBER, ATLANTA, GA.

Monday, July 30, 1917

The Senate met pursuant to adjournment at 11:15 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names, to-wit:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Elackwell, F. M.	Gilmore, George.	Odom, J. C.
Erwin, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Eynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loftin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	Merry, H. H.	Mr. President.
Edwards, Chas. H.		

By unanimous consent the reading of the Journal of Friday's session was dispensed with.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to-wit:

A bill to repeal an Act creating the office of Com-

missioner of Roads and Revenues for County of Butts.

A bill to amend an Act creating a new charter for the Town of Thomson.

A bill to fix the salary of the Treasurer of Morgan County.

A bill to amend an Act to establish the City Court in the County of Clarke.

A bill to amend an Act establishing a new charter for the City of Atlanta.

The following resolution was read and laid over under the rules, to-wit:

By Mr. Heath—

A resolution designating April 12th of each year as the day for contributions to the “Stone Mountain Memorial Fund.”

By resolution of ex-Senator Converse of Valdosta was invited to a seat upon the floor of the Senate.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Nelms:

Mr President:

I am directed by His Excellency, the Governor, to deliver to the Senate a sealed communication to which he respectfully asks the consideration of your honorable body in executive session.

The following resolution was read and laid over under the rules, to-wit:

By Mr. Wohlwender—

A resolution providing for a committee of three from the Senate to make diligent inquiry into the existence in this State of twenty thousand gallons of wine, said to have been bequeathed by the late Judson L. Hand to the University of Georgia.

The following Senate bill was withdrawn from the Committee on Education, read the second time and recommitted to said committee, to-wit:

By Mr. Peacock—

A bill to amend Section 5 of an Act to amend an Act to provide for the creation of local tax district schools.

Mr. Peacock, of the 15th District, Vice-Chairman of the Committee on Corporations, submitted the following report:

Mr. President:

Your Committee on Corporations has had under consideration the following bill of the House, and instructed me, as their vice-chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend the charter of the Town of Lula.

Respectfully submitted,

ROSCOE PEACOCK, Vice-Chairman.

Mr. Edwards, of the 32nd District, Chairman of the Committee on Railroads, submitted the following report:

Mr. President:

Your Committee on Railroads has had under con-

sideration the following resolution of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A resolution accepting the surrender of the charter of the Clarkesville Street Railway Company.

Respectfully submitted,

C. H. EDWARDS, Chairman.

Mr. Dickerson, of the 5th District, Chairman of the Committee on General Judiciary No. 2, submitted the following report:

Mr. President:

Your Committee on General Judiciary No. 2 has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Declare the law of escheats, when a wife or husband or adopted child entitled as heir dies intestate and without ascertainable heirs before receiving possession of the estate, and for other purposes. Bill No. 85.

Respectfully submitted,

R. G. DICKERSON, Chairman.

Mr. Wohlwender, of the 24th District, Chairman of the Committee on Constitutional Amendments, submitted the following report:

Mr. President:

Your Committee on Constitutional Amendments has had under consideration the following bill of the Senate, and instructed me, as their chairman, to

report the same back to the Senate, with the recommendation that the same do pass, to-wit:

No. 93, known as the College Endowment exemption bill.

Respectfully submitted,
ED. WOHLWENDER, Chairman.

Mr. Mundy, of the 38th District, Chairman of the Committee on Corporations, submitted the following report:

Mr. President:

Your Committee on Corporations has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Amend an Act to create a new charter for the city of Newnan.

Respectfully submitted,
I. F. MUNDY, Chairman.

Mr. Dickerson, of the 5th District, Chairman of the Committee on General Judiciary No. 2. submitted the following report:

Mr. President:

Your Committee on General Judiciary No. 2 has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

To make rates established by the Railroad Commission of Georgia for persons or companies en-

gaged in the business of furnishing lights to the public, etc.

Respectfully submitted,
R. G. DICKERSON, Chairman.

The following House bill was withdrawn from the Committee on Corporations, read the second time, and recommend to said committee, to-wit:

By Mr. Bankston of Troup—

A bill to amend the charter of the city of La-Grange.

The following joint resolution was read and adopted, to-wit:

By Messrs. Andrews, Logan and Price—

A resolution providing for a joint committee of two from the Senate and three from the House to arrange for the acceptance of a portrait of the late General John B. Gordon, donated to the State by Mrs. Elizabeth Fraser Andrews, and that a joint session of the General Assembly be held in the Hall of the House of Representatives for the presentation of said portrait, on August 2, at 12:30 o'clock P. M.

The President appointed the following Senators as members of the committee on part of the Senate under the provisions of above resolution, to-wit:

Messrs. Andrews and Logan.

The following resolution of the Senate was read the first time, to-wit:

By Mr. Townsend—

A resolution providing for the creation of a spe-

cial commission to investigate and report to the next session of the General Assembly upon the subject of extension of the Western and Atlantic Railroad from Atlanta to the sea.

Referred to Committee on Western & Atlantic Railroad.

At 11:45 o'clock A. M., the Senate went into executive session. The executive session was dissolved.

The following Senate bills were read the first time, to-wit:

By Mr. Carswell—

A bill to amend the charter of the Town of Toombsboro.

Referred to Committee on Corporations.

By Mr. Andrews—

A bill to prevent the desecration of the flag or national emblem of the United States.

Referred to Committee on State of Republic.

By Mr. Loftin—

A bill to incorporate the Town of Southwest La-Grange.

Referred to Committee on Corporations.

By Mr. Heath—

A bill to provide for correction of defects in the law of 1916 relating to special registration of voters in county bond elections.

Referred to General Judiciary Committee No. 2.

By Mr. Denny—

A bill to amend Section 7 of an Act approved August 13, 1903, establishing uniformity in school books.

Referred to Committee on Education.

By Mr. Stevens—

A bill to authorize the trustees of the University of Georgia to accept the lands, buildings, etc., of the Lucy Cobb Institute, at Athens, Ga.

Referred to Committee on University of Georgia.

Mr. Mundy, of the 38th District, Chairman of the Committee on Corporations, submitted the following report:

Mr. President:

Your Committee on Corporations has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

An Act to amend the charter of the City of La-Grange, to authorize the city to sell and furnish water, gas, lights and power, and other public utilities outside of or corporation limits of said city, and for other purposes.

Respectfully submitted,

I. F. MUNDY, Chairman.

The following House bill was read the second time, to-wit:

By Messrs. Palmour and Davenport of Hall—

A bill to amend an Act to incorporate the Town of Lula.

The following House bill was withdrawn from the Committee on Special Judiciary, read the second time, and referred to Committee on Counties and County Matters, to-wit:

By Mr. Stewart—

A bill to repeal an Act to establish the City Court of Douglas.

The following Senate bill was tabled, to-wit:

By Messrs. Council and Davison—

A bill to provide for the protection and conservation of game, birds, animals, etc.

The following House bill was withdrawn from the Committee on Privileges and Elections and ordered referred to General Judiciary Committee No. 2, to-wit:

By Mr. Neill of Muscogee—

A bill to provide for the nomination of United States Senators, Governor, State House Officers, Judges of Court of Appeals and Justices of Supreme Court.

The following Senate bill was taken up for a third reading, to be put upon its passage, to-wit:

By Messrs. Andrews and Heath—

A bill to amend Section 431 of the Code, by providing that counties shall have authority to issue bonds for inter-county improvements.

The report of the committee which was favorable to the passage of the bill was agreed to.

The bill was read the third time and upon its pas-

sage the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Dickerson, R. G.	Logan, J. B. G.
Beauchamp, J. C.	Edwards, Chas. H.	Mills, Joe Brown.
Beck, E. H.	Elders, H. H.	Mundy, I. F.
Blackwell, F. M.	Field, Alonzo.	Odom, J. C.
Brown, T. A.	Gilmore, George.	Peacock, D. Roscoe.
Bynum, T. L.	Heath, E. V.	Price, H. H.
Carswell, Geo. H.	Hullender, W. C.	Riuer, M. T.
Council, M. B.	Kirby, J. T.	Stevens, C. O.
Davison, James.	Leonard, R.	Weaver, W. F.
DeJarnette, H. R.	Loftin, Frank S.	Yeoman, Sol. J.

Those voting in the negative were Messrs.—

Denny, R. A.	Humber, R. T., Jr.	Wohlwender, Ed.
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Those not voting were Messrs.—

Dukes, J. P.	Hendricks, W. H.	Moore, J. B.
Dykes, J. R.	Hopkins, H. W.	Redwine, C. D.
Ficklen, Boyce.	Merry, H. H.	Townsend, S. C.

Ayes 30, nays 3.

The bill having received the requisite constitutional majority was passed.

Upon motion of Mr. Heath the above bill was ordered immediately transmitted to the House.

The following House Bill was taken up for a third reading, to be put upon its passage, to-wit:

By Messrs. Buxton and Law, of Burke—

A bill to amend Section 6165 of the Civil Code of Georgia of 1910, relative to filing of bond under bills of exception.

Mr. Heath offered the following amendment which was adopted, to-wit:

Amend by inserting between the words "Section 6165" and "of the Civil Code" in Section 1 of said bill the following: "Subdivision 1."

The report of the committee which was favorable to the passage of the bill was agreed to, as amended.

The bill was read the third time.

Upon the passage of the bill as amended the ayes were 26 and nays 0.

The bill having received the requisite constitutional majority was passed, as amended.

Leave of absence was granted to Mr. Moore for a few days on account of sickness in his family.

Upon motion of Mr. Wohlwender, the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.,

Tuesday, July 31, 1917.

The Senate met pursuant to adjournment at 10 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names, to-wit:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Bynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loftin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Wohlwender, Ed.
Dykes, J. R.	Merry, H. H.	Yeoman, Sol. J.
Edwards, Chas. H.		

By unanimous consent the reading of the Journal of yesterday's session was dispensed with.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Nelms:

Mr. President:

I am directed by His Excellency, the Governor, to deliver to the Senate a sealed communication to which he respectfully invites the consideration of your honorable body in executive session.

The following House Bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Bankston, of Troup—

A bill to amend the charter of City of LaGrange.

The report of the committee which was favorable to the passage of the bill was agreed to.

Upon the passage of the bill the ayes were 30 and nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate resolution was taken up and adopted, to-wit:

By Mr. Heath—

A resolution setting apart April 12th of each year as the day for contributions to the “Stone Mountain Memorial Fund.”

By unanimous consent Senate Resolutions No. 26 and No. 39 were withdrawn by the author.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has passed by the requisite constitutional majority the following bills of the Senate, to-wit:

A bill to amend an Act to abolish the office of County Treasurer for the County of Greene.

A bill to amend an Act to provide compensation

for members of the Board of Commissioners of Roads and Revenues for Catoosa County.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has passed by the requisite constitutional majority the following bills of the House, to-wit:

A bill to create a Board of Commissioners of Roads and Revenues for the County of Butts.

A bill to validate and confirm all rights and powers given to the Board of Public Education for the City of Savannah.

A bill to amend Section 1534 of the Code of 1910, so as to provide that Tax-Receiver in counties of certain population shall receive commissions from the local school tax collected.

A bill to declare houses of lewdness, prostitution and assignation a nuisance.

A bill to amend an Act to incorporate the town of Abbeville.

A bill to provide for two weeks' term of Superior Court of Taylor County.

A bill to create a new charter for the town of Arabi.

A bill to amend an Act establishing charter for the town of LaFayette.

A bill to incorporate the city of Demorest.

A bill to validate and confirm amendment to charter of the Trustees of Presbyterian Church of City of Savannah.

A bill to amend an Act to establish City Court of Hinesville.

A bill to abolish the Board of Commissioners of Roads and Revenues for the County of Walton.

A bill to amend an Act to incorporate the town of Spread.

A bill to amend the Act creating City Court of Valdosta.

A bill to amend an Act establishing the charter of Carrollton.

A bill to amend an Act incorporating the town of Molena.

A bill to amend an Act incorporating the town of Trion.

A bill to amend an Act creating the office of Commissioner of Roads and Revenues for County of Carroll.

A bill to amend an Act known as "Tattnall Board of Commissioners."

A bill to amend an Act known as the Tattnall Road Law.

A bill to amend an Act increasing the Board of County Commissioners of Calhoun County.

A bill to repeal an Act creating the office of Roads and Revenues for the County of Tift.

A bill to prohibit the running at large of any bull or boar over four months old.

A bill to abolish the office of Treasurer of Wayne County

A bill to amend an Act establishing City Court of Americus.

A bill to amend an Act creating the Board of County Commissioners for the County of Bulloch.

A bill to fix the salary of the Treasurer of McDuffie County.

A bill to provide for filling vacancies in the office of County Treasury in Coweta County.

A bill to amend an Act providing for holding four terms of Superior Court of Dooly County.

A bill to fix the salary of the Treasurer of Ware County.

The following House resolution was taken up and adopted, to-wit:

By Mr. McCall, of Brooks—

A resolution relative to appointment of a committee to digest the message of the Governor.

Mr. Mundy, of the 38th District, Chairman of the Committee on Corporations, submitted the following report:

Mr. President:

Your Committee on Corporations has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Amend an Act creating a new charter for the City of Fort Gaines.

Respectfully submitted,

MUNDY, Chairman.

Mr. Field, of the 34th District, chairman of the

Committee on General Judiciary No. 1, submitted the following report:

Mr. President:

Your Committee on General Judiciary No. 1 has had under consideration the following bills of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to wit:

A bill to prescribe indeterminate sentences.

A bill to provide for supplying the officers of the State of Georgia with Park's Annotated Reprint of the Code of Georgia.

A bill to provide for a prima facie presumption when deeds, mortgages, etc., appear to be executed in one county before an officer of another county, etc.

Respectfully submitted,

ALONZO FIELD, Chairman.

Mr. Dykes, of the 14th District, chairman of the Committee on Commerce and Labor, submitted the following report:

Mr. President:

Your Committee on Commerce and Labor has had under consideration the following bills of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

No. 125. A bill to provide for examination, licensing and registration of persons engaged in plumbing, etc.

No. 130. A bill to fix the qualification of locomotive firemen.

No. 136. A bill to amend an Act approved August 17th, 1914, providing for the registration of practice of barbers, etc.

Respectfully submitted,

J. B. DYKES, Chairman.

Mr. Beck, of the 43rd District, chairman of the Committee on Counties and County Matters, submitted the following report:

Mr. President:

Your Committee on Counties and County Matters has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend an Act creating a Board of County Commissioners for Brooks County.

Respectfully submitted,

BECK, Chairman.

Mr. Mundy, of the 38th District, acting chairman of the Committee on Mines and Mining, submitted the following report:

Mr. President:

Your Committee on Mines and Mining has had under consideration the following resolution of the Senate, and instructed me, as their acting chairman, to report the same back to the Senate, with the recommendation that the same do pass by substitute, to-wit:

No. 31. A resolution to require the Tennessee

Copper Co. to make monthly reports to the Governor with respect to operation of its plants.

Respectfully submitted,

I. F. MUNDY, Acting Chairman.

The following Senate bills were withdrawn from the committees, read second time and recommitted, to-wit:

By Mr. Carswell—

A bill to amend the charter of the town of Toombsboro.

Recommitted to Corporations Committee.

By Mr. Loftin—

A bill to incorporate the town of South West La-Grange.

Recommitted to Corporations Committee.

The following House Bill was taken up for a third reading to be put upon its passage, to-wit:

By Messrs. Palmour and Davenport, of Hall—

A bill to amend the charter of the town of Lula.

The report of the committee which was favorable to the passage of the bill was agreed to.

Upon the passage of the bill the ayes were 30 and nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate Bills were read the first time, to-wit:

By Mr. Price—

A bill to create a Board of Commissioners of Roads and Revenues for the County of Oconee.

Referred to Committee on Counties and County matters.

By Mr. Merry (by request)—

A bill to confer upon banking companies the rights and privileges of trust companies.

Referred to Committee on Banks and Banking.

By Messrs. Andrews and Heath—

A bill to amend an Act approved August 19, 1912, regulating the issuance of insurance policies.

Referred to Committee on Insurance.

By Mr. Logan (by request)—

A bill to abolish the City Court of Franklin County.

Referred to Special Judiciary Committee.

By Mr. Logan—

A bill to establish a City Court in the County of Franklin.

Referred to Committee on Special Judiciary.

By Mr. Logan (by request)—

A bill to divide the county of Franklin into three Commissioners Districts.

Referred to Committee on Counties and County Matters.

By Mr. Ficklen—

A bill to authorize the appointment of special constables to levy and collect tax *fi. fas.*

Referred to Committee on Finance.

The following Senate Bills were read the second time, to-wit:

By Messrs. Price and Andrews—

A bill to provide for licensing of persons engaged in the business of plumbing.

By Mr. Andrews—

A bill to amend an Act approved August 17th, 1914, providing for the regulation of the practice of a barber in certain cities.

The following House Bill was withdrawn from the Committee on Counties and County Matters, read the second time and recommitted to said committee, to-wit:

By Messrs. Booker and Anderson, of Wilkes—

A bill to abolish the Board of County Commissioners of Roads and Revenues and Public Property for the County of Wilkes.

The following Senate bill, which was set as a special order, was taken up for a third reading, to-wit:

By Messrs. Olive, Price, and others—

A bill to amend Paragraph 2, Section 2, Article 7, of the Constitution of the State of Georgia, so as to permit the exemption from taxation of endowments of colleges and incorporated academies and other seminaries of learning.

The report of the Committee which was favorable to the passage of the bill was agreed to.

The bill was read the third time.

Upon the passage of the bill the ayes and nays were as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Field, Alonzo.	Mills, Joe Brown.
Beauchamp, J. C.	Gilmore, George.	Mundy, I. F.
Blackwell, F. M.	Heath, E. V.	Odom, J. C.
Brown, T. A.	Hendricks, W. H.	Peacock, D. Roscoe.
Carswell, Geo. H.	Hopkins, H. W.	Price, H. H.
DeJarnette, H. R.	Hullender, W. C.	Redwine, C. D.
Denny, R. A.	Humber, R. T., Jr.	Riner, M. T.
Dickerson, R. G.	Leonard, R.	Stevens, C. O.
Dukes, J. P.	Loflin, Frank S.	Townsend, S. C.
Dykes, J. R.	Logan, J. B. G.	Wohlwender, Ed.
Edwards, Chas. H.	Merry, H. H.	Yeoman, Sol. J.
Ficklen, Boyce.		

Those voting in the negative were Messrs.—

Beck, E. H.	Davison, James.	Kirby, J. T.
Bynum, T. L.	Elders, H. H.	Weaver, W. F.
Council, M. B.		

Those not voting were Messrs.—

Moore, J. B.

Ayes, 34; nays, 7.

The bill having received the requisite constitutional majority was passed and the bill is as follows, to-wit:

A BILL

To amend Paragraph two (2), Section two (2), Article seven (7), of the Constitution of the State of Georgia, so as to permit the exemption

from taxation by the General Assembly of the endowment of colleges and incorporated academies and other seminaries of learning, when the same is not invested in real estate.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by said authority, That Paragraph two (2), Section two (2), Article seven (7), of the Constitution of the State of Georgia be and the same is hereby amended by inserting in the fifth (5) line thereof, as the same is set forth in Section 6554 of the Code of the State of Georgia, after the words "seminary of learning," the words, "and also all funds or property held or used as endowment by such colleges, incorporated academies or seminaries of learning, *provided*, the same is not invested in real estate," so that said Paragraph two (2), Section two (2), Article seven (7), of the Constitution, when amended, shall read as follows:

"The General Assembly may, by law, exempt from taxation all public property; places of religious worship or burial; all institutions of purely public charity; all buildings erected for and used as a college, incorporated academy, or other seminary of learning and also all funds or property held or used as endowment by such colleges, incorporated academies or seminaries of learning, *provided*, the same is not invested in real estate; the real and personal estate of any public library, and that of any other literary association, used by or connected with such library; all books and philosophical apparatus; and all paintings and statuary of any company or

association, kept in a public hall, and not held as merchandise or for purposes of sale or gain; *provided*, the property so exempted be not used for purposes of private or corporate profit or income."

SEC. 2. Be it further enacted by the authority aforesaid, That when said amendment shall be agreed to by a two-thirds vote of the members elected to each House it shall be entered upon the Journal of each House with the "yeas" and "nays" thereon and published in one or more newspapers in each Congressional District in said State for two months previous to the time for holding the next general election and shall, at the next general election, be submitted to the people for ratification. All persons voting at said election in favor of adopting the said proposed amendment to the Constitution shall have written or printed on their ballots the words "For ratification of amendment to Paragraph two (2), Section two (2), Article seven (7), of the Constitution, authorizing the exemption from taxation of endowments of institutions of learning, when not invested in real estate," and all persons opposed to the adoption of said amendment shall have written or printed on their ballots the words, "Against ratification of amendment to Paragraph two (2), Section two (2), Article seven (7), of the Constitution, authorizing the exemption from taxation of endowments of institutions of learning, when not invested in real estate," and if the majority of the electors qualified to vote for the members of the General Assembly voting thereon shall vote for ratification thereof when the returns shall be con-

solidated as now required by law in elections for members of the General Assembly, and return thereof made to the Governor, then he shall declare said amendment adopted and make proclamation of the result by publication of the result of said election by one insertion in one of the daily papers of this State, declaring the amendment ratified.

SEC. 3. Be it further enacted, That all laws and parts of laws in conflict with this Act, be and the same are, hereby repealed.

The following House bills were read the first time, to-wit:

By Mr. Dorris of Crisp—

A bill to create a new charter for the Town of Arabi.

Referred to Corporations Committee.

By Mr. Kimzey of Habersham—

A bill to repeal the charter of the City of Demorest.

Referred to Corporations Committee.

By Mr. Harris of Walker—

A bill to amend the charter of the City of Lafayette.

Referred to Corporations Committee.

By Mr. Mays of Butts—

A bill to create a Board of Commissioners of Roads and Revenues for the County of Butts.

Referred to Counties and County Matters Committee.

By Mr. Ellis of Tift—

A bill to repeal an Act creating the office of Commissioner of Roads and Revenues for County of Tift.

Referred to Counties and County Matters Committee.

By Mr. Stovall of McDuffie—

A bill to fix the salary of the Treasurer of McDuffie County.

Referred to Counties and County Matters Committee.

By Mr. Lanier of Bulloch—

A bill to amend an Act creating the Board of Commissioners for the county of Bulloch.

Referred to Counties and County Matters Committee.

By Mr. Hatcher of Wayne—

A bill to abolish the office of Treasurer of Wayne County.

Referred to Counties and County Matters Committee.

By Mr. Pace of Sumter—

A bill to amend an Act to establish the City Court of Americus.

Referred to Special Judiciary Committee.

By Mr. Harvin of Calhoun—

A bill to amend an Act increasing the Board of County Commissioners of Calhoun County.

Referred to Counties and County Matters Committee.

By Messrs. Williams and Parker of Ware—

A bill to fix the salary of the Treasurer of Ware County.

By Mr. Lasseter of Dooly—

A bill to provide for holding four terms a year of Superior Court of Dooly County.

Referred to Special Judiciary Committee.

By Messrs. Jones and Arnold of Coweta—

A bill to provide for filling vacancies in the office of County Treasurer of Coweta County.

Referred to Counties and County Matters Committee.

By Mr. Bagwell of Carroll—

A bill to amend the charter of the city of Carrollton.

Referred to Corporations Committee.

By Mr. Burkhalter of Tattnall—

A bill to amend an Act to create the Board of Commissioners of Tattnall County, approved July 31, 1915.

Referred to Counties and County Matters Committee.

By Messrs. Jones and Staten of Lowndes—

A bill to amend the original Act, creating the City Court of Valdosta.

Referred to Special Judiciary Committee.

By Mr. Burkhalter of Tattnall—

A bill to amend an Act approved July 31, 1915, known as the Tattnall Road Law.

Referred to Public Roads Committee.

By Mr. King of Jefferson—

A bill to amend the charter of the Town of Spread.

Referred to Corporations Committee.

By Messrs. Bagwell and Beck of Carroll—

A bill to amend an Act creating the office of Commissioner of Roads and Revenues for the county of Carroll.

Referred to Counties and County Matters Committee.

By Mr. Worsham of Chattooga—

A bill to amend the charter of the Town of Trion.

Referred to Corporations Committee.

By Mr. Barrett of Pike—

A bill to amend the charter of the Town of Molena.

Referred to Corporations Committee.

By Mr. Foy of Taylor—

A bill to provide for two weeks' term of Superior Court of Taylor County.

Referred to Special Judiciary Committee.

By Messrs. Lawrence, Wylly and Eve—

A bill to validate and confirm an amendment to the charter of the Trustees of Presbyterian church of the City of Savannah.

Referred to Special Judiciary Committee.

By Mr. Howard of Liberty—

A bill to amend an Act to establish the City Court of Hinesville.

Referred to Special Judiciary Committee.

By Messrs. Blasingame and Wright of Walton—

A bill to establish a Board of Commissioners of Roads and Revenues for the county of Walton.

Referred to Counties and County Matters Committee.

By Messrs. Lawrence, Eve and Wylly—

A bill to validate and confirm all rights and powers, given or attempted to be given, to the Board of Public Education, for the city of Savannah and county of Chatham.

Referred to Special Judiciary Committee.

By Messrs. Lawrence, Eve and Wylly—

A bill to amend Section 1534 of the Code of Georgia, so as to provide that County Tax Receivers in counties of certain population shall receive commissions from the local school tax collected.

Referred to Special Judiciary Committee.

By Mr. Wright of Floyd—

A bill to declare houses of lewdness and prostitution a nuisance.

Referred to General Judiciary Committee No. 2.

By Mr. Maynard of Wilcox—

A bill to amend an Act to incorporate the town of Abbeville.

Referred to Corporations Committee.

By Mr. Stovall of McDuffie—

A bill to alter and amend an Act creating a new charter for the town of Thomson.

Referred to Corporations Committee.

By Mr. Swords of Morgan—

A bill to fix the salary of the Treasurer of Morgan County.

Referred to Counties and County Matters Committee.

By Messrs. DuBose and Brown of Clarke—

A bill to amend an Act to establish a City Court in the county of Clarke.

Referred to Special Judiciary Committee.

By Messrs. Atkinson, White and Smith of Fulton and others—

A bill to amend the charter of the City of Atlanta.

Referred to Corporations Committee.

The following House resolutions and House bills were read the second time, to-wit:

By Mr. Kimzey of Habersham—

A resolution accepting the surrender of the charter of the Clarkesville Street Railway Company.

By Mr. McCall of Brooks—

A bill to amend an Act creating the Board of Commissioners of Roads and Revenues for Brooks County.

By Mr. Arnold of Clay—

A bill to amend the charter of the City of Fort Gaines.

By Messrs. Arnold and Jones of Coweta—

A bill to amend the charter of the City of Newnan.

The following House bill was withdrawn from the Committee on Counties and County Matters, read the second time and recommitted to said committee, to-wit:

By Messrs. Booker and Anderson of Wilkes—

A bill to establish a Board of Commissioners of Roads and Revenues for the County of Wilkes.

Upon motion of Mr. Redwine Senate Bill No. 73 was ordered immediately transmitted to the House.

The following joint resolution was read and laid over under the rules, to-wit:

By Mr. Dukes—

A resolution creating a commission to investigate the matter of building state-owned wharves and docks.

The following Senate Bill was read the first time, to-wit:

By Mr. Wohlwender—

A bill to regulate competitive bids for State printing.

Referred to Printing Committee.

The following resolution was read and laid over under the rules, to-wit:

By Mr. Dukes—

A resolution to create a commission to take up the question of constructing a bridge across the Savannah River between Augusta and the Atlantic ocean.

By unanimous consent the session was extended, to permit the Senate to go into executive session.

At 12:59 o'clock P. M., the Senate went into executive session.

At the conclusion of the executive session the Senate adjourned until 10 o'clock A. M. tomorrow.

SENATE CHAMBER, ATLANTA, GA.,

Wednesday, August 1, 1917

The Senate met pursuant to adjournment at 10 o'clock a. m., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names, to-wit:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Rynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loftin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	Merry, H. H.	Mr. President.
Edwards, Chas. H.		

By unanimous consent the reading of the Journal of yesterday's session was dispensed with.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House agrees to Senate amendment to the following bill of the House, to-wit:

A bill to amend the charter of Carnesville.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has passed by the requisite constitutional majority the following bill of the Senate, to-wit:

A bill to enlarge and extend the city limits of the City of Rockmart.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has passed by the requisite constitutional majority the following bills and resolutions of the House, to-wit:

A bill to amend the Constitution of the State, relative to paying pensions to Confederate veterans and their widows.

A bill to create a board of Commissioners of Roads and Revenues for Candler County.

A bill to create a board of Commissioners of Roads and Revenues for the County of Tift.

A resolution to surrender the amendment to the charter of the Valdosta Street Railway Company.

The House has adopted the following resolution of the House, to-wit:

A resolution providing for a joint committee to arrange program for receiving portrait of John B. Gordon.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The Speaker has appointed the following members on the part of the House, raised under the resolution to arrange program for receiving portrait of John B. Gordon:

Messrs. Smith, of Fulton;
Clements, of Irwin;
Morris, of Cobb.

Upon motion of Mr. Andrews, Senate bill No. 130 was recommitted to Committee on Commerce and Labor.

The following communication was read, to-wit:

Hartwell, Ga., July 30, 1917

Mr. Sam Olive,
Atlanta, Ga.

My dear Mr. Olive:

Please extend to each and every member of the House and Senate our heartfelt thanks for their many deeds of kindness shown me while in Atlanta and during Asben's last hours on earth. I assure you we will always have a tender feeling for his friends.

Yours very truly,
Mrs. Asben McCurry and Children.

Mr. Wohlwender, of the 24th District, Chairman of the Committee on Constitutional Amendments, submitted the following report:

Mr. President:

Your Committee on Constitutional Amendments has had under consideration the following bill of

the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass as amended, to-wit:

A bill to be entitled an Act to Amend Paragraph 1, Section 1, Article 1 of the Constitution of this State so as to provide for recall election to vacate offices during the term of the office holder, by the electorate, and for other purposes.

Respectfully submitted,

ED. WOHLWENDER, Chairman.

Mr. Carswell, of the 21st District, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President:

Your committee on Appropriations has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend Section 1973, Volume 1, of the Code of Georgia, as to salaries of the State Geologist and assistants.

Respectfully submitted,

GEO. H. CARSWELL, Chairman.

Mr. Weaver, of the 23rd District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr. President:

Your Committee on Special Judiciary has had under consideration the following bills of the House,

and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to be entitled an Act to amend City Court of Nashville.

A bill to alter, amend, and revise the several Acts relating to the City Court of Savannah, and for other purposes.

A bill to be entitled an Act creating the City Court of Louisville, for the County of Jefferson.

A bill to be entitled an Act to repeal the Act approved August 19, 1916, to create the City Court of Morgan, Calhoun County.

A bill to be entitled an Act to change the time for holding the Superior Court of Wheeler County.

Respectfully submitted,

W F WEAVER, Chairman.

Mr. Weaver, of the 23rd District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr. President:

Your Committee on Special Judiciary has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to be entitled an Act to abolish the fee system now existing in the Superior Courts of the Chattahoochee Circuit, and for other purposes.

Respectfully submitted,

W F WEAVER, Chairman.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr President:

Your Committee on Counties and County Matters has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend an Act creating the office of Commissioner of Roads and Revenues for the County of Carroll.

A bill to be entitled an Act to amend an Act approved July 31st, 1915, known as "Tattnall Board of Commissioners."

A bill to be entitled an Act to fix the salary of the Treasurer of McDuffie County.

A bill to abolish the office of Treasurer of Wayne County.

A bill to fix the salary of the Treasurer of Ware County.

A bill to provide for filling vacancies in the office of County Treasurer of Carroll County.

A bill to amend an Act increasing the Board of County Commissioners of Calhoun County.

A bill to amend an Act creating the Board of County Commissioners for the County of Bulloch.

A bill to fix the salary of the Treasurer of Morgan County.

A bill to repeal an Act creating the office of Commissioner of Roads and Revenues for the County of Tift.

A bill to be entitled an Act to establish for the County of Walton a Board of Commissioners of Roads and Revenues; to prescribe the powers and duties of said board, to fix the terms of such officers and their compensation.

Respectfully submitted,

E. H. BECK, Chairman.

Mr. J. T. Kirby, of the 36th District, Chairman of the Committee on Public Roads, submitted the following report:

Mr. President:

Your Committee on Public Roads has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend an Act approved July 31st, 1915, known as the Tattnall Road Law.

KIRBY, Chairman.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House concurred in the following resolution of the Senate, to-wit:

A resolution providing for a joint committee to arrange for the acceptance of a portrait of the late General John B. Gordon.

Upon motion of Mr. Council, Senate bill No. 90 was taken from the table.

The following Senate resolution was taken up, to-wit:

By Mr. Gilmore—

A resolution providing for a committee of two from the Senate and three from the House to investigate the work of the several departments and prepare a bill that will co-ordinate the several departments of the State.

Mr. Hopkins offered the following amendment, which was adopted, to-wit:

“Provided, That no member of either House shall be eligible to appointment on said committee, if in any way connected with or specially interested in the Department of Agriculture, of Entomology, or the State Agricultural College.”

The resolution was adopted, as amended.

The following House bills were taken up for a third reading, to-wit:

By Mr. Arnold, of Clay—

A bill to amend the charter of City of Fort Gaines.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Wyatt and Bankston (by request)—

A bill to amend Section 4 of the Act establishing the City Court of LaGrange.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bill was withdrawn from the Committee on Corporations, read the second time, and recommitted to said committee, to-wit:

By Messrs. Atkinson, White, Smith, of Fulton, and others—

A bill to amend the charter of the City of Atlanta.

House bill No. 101 was withdrawn from the Committee on Counties and County Matters and referred to Committee on Special Judiciary.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr President:

Your Committee on Counties and County Matters has had under consideration the following bills of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to create a Board of Commissioners of Roads and Revenues for County of Oconee.

A bill to divide the County of Franklin into three commissioners' districts.

Respectfully submitted,

E. H. BECK, Chairman.

The following Senate bills were read the first time, to-wit:

By Mr. Bynum—

A bill to amend Section one of an Act approved December 18, 1901, entitled an Act to give consent by the State, to the acquisition by the United States of such lands as may be needed for establishment of a National Forest Reserve in said State.

Referred to Committee on State of Republic.

By Mr. Wohlwender—

A bill to regulate strikes, and for other purposes.

Referred to Committee on Commerce and Labor.

By Mr. Elders—

A bill to provide for and regulate the operation of pilot boats.

Referred to General Judiciary Committee No. 2.

The following Senate bill, which was a special order, was taken up for a third reading, to-wit:

By Mr. Gilmore—

A bill to provide for the grading, classification and branding, according to grade or quality, of cottonseed meal.

The bill was read the third time and upon the question of agreeing to the report of the committee, which was favorable to the passage of the bill, the ayes and nays were ordered, and the vote was as follows:

The voting in the affirmative were Messrs.—

Andrews, W. P.	Dykes, J. R.	Mills, Joe Brown.
Beauchamp, J. C.	Edwards, Chas. H.	Odom, J. C.
Beck, E. H.	Elders, H. H.	Price, H. H.
Blackwell, F. M.	Gilmore, George.	Stevens, C. O.
Brown, T. A.	Leonard, R.	Townsend, S. C.
Davison, James.	Loftin, Frank S.	Wohlwender, Ed.
Denny, R. A.	Merry, H. H.	Yeoman, Sol. J.
Dukes, J. P.		

Those voting in the negative were Messrs.—

Lynum, T. L.	Heath, E. V.	Moore, J. B.
Carswell, Geo. H.	Hendricks, W. H.	Mundy, I. F.
DeJarnette, H. R.	Hopkins, H. W.	Peacock, D. Roscoe.
Dickerson, R. G.	Humber, R. T., Jr.	Redwine, C. D.
Ficklen, Boyce.	Kirby, J. T.	Riner, M. T.
Field, Alonzo.	Logan, J. B. G.	Weaver, W. F.

Those not voting were Messrs.—

Council, M. B.	Hullender, W. C.
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Ayes 22, nays 18.

The report of the committee was agreed to.

Upon motion of Mr. Andrews the bill was tabled.

Upon motion of Mr. Hopkins, Senate Bill No. 9 was taken from the table.

The following House bills were read the second time, to-wit:

By Mr. Giddens—

A bill to amend an Act to create the City Court of Nashville.

By Messrs. Bagwell and Beck—

A bill to amend an Act creating the office of Commissioner of Roads and Revenues for the County of Carroll.

By Mr. Ellis—

A bill to repeal an Act creating the office of Commissioner of Roads and Revenues for County of Tift.

By Mr. Sumner—

A bill to change the time of holding the Superior Court of Wheeler County.

By Mr. Burkhalter—

A bill to amend an Act approved July 31st, 1915, known as "Tattnall Road Law."

By Mr. Harvin—

A bill to amend an Act increasing the membership of the Board of Commissioners of Calhoun County.

By Mr. Hatcher—

A bill to abolish the office of Treasurer of Wayne County.

By Messrs. Blasingame and Wright—

A bill to establish a Board of Commissioners of Roads and Revenues for the County of Walton.

By Mr. Lanier—

A bill to amend an Act creating the Board of Commissioners for the County of Bulloch.

By Mr. Harvin—

A bill to repeal an Act to create the City Court of Morgan, Calhoun County

By Mr. Burkhalter—

A bill to amend an Act approved July 31, 1915, known as Tattnall Board of Commissioners' Act.

By Mr. King—

A bill to create the City Court of Louisville, for the County of Jefferson.

By Messrs. Lawrence, Elve and Wyly—

A bill to amend the several Acts relating to the City Court of Savannah.

By Messrs. Jones and Arnold, of Coweta—

A bill to provide for filling vacancies in the office of County Treasurer of Coweta County

By Mr. Swords—

A bill to fix the salary of the County Treasurer of Morgan County.

By Messrs. Williams and Rankin, of Ware—

A bill to fix the salary of the County Treasurer of Ware County.

By Mr. Stovall—

A bill to fix the salary of the County Treasurer of McDuffie County.

The following bills and resolution of the House were read the first time, to-wit:

By Mr. Youmans, of Candler—

A bill to create a Board of Commissioners of Roads and Revenues for Candler County.

Referred to Committee on Counties and County Matters.

By Mr. Ellis, of Tift—

A bill to create a Board of Commissioners of Roads and Revenues for the County of Tift.

Referred to Committee on Counties and County Matters.

By Messrs. Jones and Staten—

A resolution to surrender the amendment to the charter of the Valdosta Street Railway Co.

Referred to Committee on Counties and County Matters.

By Mr. McCall—

A bill to amend Paragraph 1, Section 1, Article 7, of the Constitution of this State, relating to paying pensions to Confederate veterans.

Referred to Committee on Pensions.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Hopkins—

A bill to amend Paragraph 1 of Section 13 of Article 6 of the Constitution of Georgia, so far as the same relates to salaries of Justices of the Supreme Court and of the Judges of the Court of Appeals, and of the Judges of the Superior Courts.

The bill was read the third time and the report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes and nays were as follows:

Those voting in the affirmative were Messrs.--

Andrews, W. P.	Davison, James.	Heath, E. V.
Beauchamp, J. C.	Denny, R. A.	Hendricks, W. H.
Beck, E. H.	Dukes, J. P.	Hopkins, H. W.
Blackwell, F. M.	Dykes, J. R.	Kirby, J. T.
Brown, T. A.	Elßers, H. H.	Loftin, Frank S.
Carswell, Geo. H.	Ficklen, Boyce.	Logan, J. B. G.
Council, M. B.	Field, Alonzo.	Merry, H. H.

Mundy, I. F.	Redwine, C. D.	Weaver, W. F.
Peacock, D. Roscoe.	Stevens, C. O.	Wohlwender, Ed.
Price, H. H.	Townsend, S. C.	Yeoman, Sol. J.

Those voting in the negative were Messrs.—

Lynum, T. L.	Gilmore, George.	Mills, Joe Brown.
DeJarnette, H. R.	Hullender, W. C.	Moore, J. B.
Dickerson, R. G.	Humber, R. T., Jr.	Odom, J. C.
Edwards, Chas. H.	Leonard, R.	Riner, M. T.

Ayes 30, nays 12.

The bill having received the requisite constitutional majority was passed, and the bill is as follows:

A BILL

To be entitled “An Act to amend Paragraph 1, of Section 13, of Article 6 of the Constitution of Georgia in so far as the same relates to salaries of the Justices of the Supreme Court and of the Judges of the Court of Appeals and of the Judges of the Superior Courts so as to fix the salaries of the Justices of the Supreme Court at \$6,000.00 each per annum, and the salaries of the Judge of the Court of Appeals at \$6,000.00 each per annum, and the salaries of the Judges of the Superior Courts at \$4,000.00 each per annum, provided, that the Counties of Clarke, Floyd, Sumter, Muscogee, Bibb, Chatham, Fulton and Richmond shall supplement the salaries of the judges of the circuits embracing said counties as is now provided in the Constitution; and provided, further, that the County of Fulton shall supplement the salary of the Judge of the Stone Mountain Circuit or the judge of any other circuit who may here-

after be required to regularly preside in Fulton County as is now provided in the Constitution; and to provide for the submission of the amendment to the qualified voters of the State for ratification and if ratified that the salaries of the officers thereby fixed shall begin from and after the ratification of the amendment, and for other purposes.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That Paragraph 1, of Section 13, of Article 6, of the Constitution of the State of Georgia, relating to salaries of the Justices of the Supreme Court and of the Judges of the Court of Appeals and of the Judges of the Superior Courts, be and the same is hereby amended by striking therefrom all provisions fixing the amount of salaries of the Justices of the Supreme Court and of the salaries of the Judges of the Court of Appeals and of the salaries of the Judges of the Superior Courts, and the words "but the provisions of this section shall not affect the salaries of those now in office," and providing in lieu thereof as follows: "The Justices of the Supreme Court each shall have out of the Treasury of the State salaries of \$6,000.00 per annum; the Judges of the Court of Appeals each shall have out of the Treasury of the State salaries of \$6,000.00 per annum; the Judges of the Superior Courts each shall have out of the Treasury of the State salaries of \$4,000.00 per annum, provided, however, that the counties of Clarke, Floyd, Sumter, Muscogee, Bibb, Chatham, Fulton and Richmond

shall supplement from their respective county treasuries the salaries of the judges of the circuit of which they are a part by such sum as will be necessary, with salaries paid each of said judges from the State Treasury, to make a salary of \$5,000.00 each per annum of such judges, and such payments are declared to be a part of the court expenses of said counties, and such payments shall be made to the judges now in office as well as to their successors. Provided, further, that the County of Fulton shall supplement the salary of the Judge of the Stone Mountain Circuit or the judge of such other circuit as may be hereafter required to regularly preside therein, for additional services rendered in the Superior Court of said county, such sums as will with the salary paid such judge from the State Treasury make a salary of \$5,000.00 per annum; said payments are declared to be a part of the court expenses of Fulton County, such payments to be made to the judge now in office as well as to his successors. The provision of this amendment shall become effective and the salaries herein provided for shall begin from the ratification of this amendment as provided in the second section hereof, and shall apply to incumbents in the several offices as well as to their successors.

SEC. 2. Be it further enacted, That if this amendment shall be agreed to by two-thirds of the members of each House of the General Assembly the same shall be entered on their journals, with the yeas and nays taken thereon, and the Governor shall cause the amendment to be published in one

or more of the newspapers in each Congressional District for at least two months immediately preceding the next general election, and the same shall be submitted to the people at the next general election, and all persons voting at said election in favor of adopting the proposed amending to the Constitution shall have written or printed on their ballots the words, "For ratification of amendment to Paragraph 1, of Section 13, of Article 6, of the Constitution fixing salaries of the Justices of the Supreme Court and of the Judges of the Court of Appeals and of the Judges of the Superior Courts," and all persons opposed to the adoption of said amendment shall have written or printed on their ballots the words, "Against ratification of amendment to Paragraph 1, of Section 13, of Article 6, of the Constitution fixing salaries of the Justices of the Supreme Court and of the Judges of the Court of Appeals and of the Judges of the Superior Courts," and if a majority of the electors qualified to vote for the members of the next General Assembly voting shall vote in favor of the ratification as shown by the consolidation and by the returns made as now provided by law in elections for members of the General Assembly, then said amendment shall become a part of Paragraph 1, of Section 13, of Article 6, of the Constitution of this State, and the Governor shall make proclamation thereof.

SEC. 3. Be it further enacted, That all laws and parts of laws in conflict herewith are repealed.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Davison—

A bill to amend Section 3298, Volume 1, of the Code of 1910, so as to provide for foreclosure of bills of sale in any amount in the manner as mortgages on personalty are foreclosed.

The bill was read the third time and the report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 29 and nays 0.

The bill having received the requisite Constitutional majority was passed.

The following Senate bills and Senate resolution were read the second time, to-wit:

By Mr. Price of the 27th District—

A bill to create a Board of Commissioners of Roads and Revenues for the County of Oconee.

By Mr. Mundy of the 38th District—

A bill to provide for supplying the officers of the State of Georgia with Park's Annotated Reprint of the Code of Georgia.

By Mr. Logan of the 33rd District—

A bill to divide the County of Franklin into three Commissioners' Districts, provide for a Board of Commissioners in lieu of the present board, etc.

By Mr. Denny of 42nd District—

A bill to provide for a prima facie presumption where deeds, mortgages, and other registerable instruments appear to be executed in one county be-

fore an officer of another county, having no jurisdiction in the first county.

By Mr. Brown of 41st District—

A resolution to require Tennessee Copper Company to make monthly reports to the Governor with respect to the operation of its plants under contracts with the State of Georgia and the sulphur contents of green ores smelted, etc.

By Mr. Stevens of 30th District—

A bill providing for the collection of past-due taxes to the State, county or municipality

By Mr. Beck of 43rd District—

A bill to amend Paragraph 1, Section 1, Article 1, of the Constitution of this State, etc.

By Mr. Davison of 19th District—

A bill to declare the Law of Escheats, when a wife or husband, or adopted child, entitled as heir, dies intestate and without ascertainable heirs before receiving possession of the estate.

By Mr. Mundy of 38th District—

A bill to prescribe indeterminate sentences, and for other purposes.

By Messrs. Weaver of 23rd, Leonard of 25th, and Wohlwender of 24th District—

A bill to abolish the fee system now existing in the superior courts of the Chattahoochee Judicial Circuit, as applied to the office of solicitor-general.

By Mr. Weaver of 23rd and Mr. Andrews of 35th District—

A bill to amend Section 1973, Volume 1, of the

Code of Georgia of 1910, as to the salaries of the State Geologist and assistants.

The following Senate bill was taken up for a third reading, to be put upon its passage, to-wit:

By Mr. DeJarnette—

A bill to amend Section 1534 of Volume 1 of the Code of 1910, empowering municipalities or school districts desiring this to levy a larger tax for school purposes.

Mr. DeJarnette offered the following amendment which was adopted, to-wit:

“Amend Section 1 by adding thereto after the word authorities in the last line the following, to-wit: Provided, also, that before making such recommendation and levy aforesaid said question of the tax shall be submitted to the qualified voters of such local school district under the same rules and regulations as are provided in this section for elections for levying county tax and the election shall be called in the same way and by the same authority as election for levy of taxes for educational purposes in the county and the manner of holding said election shall be the same and the result declared in the same way as in county elections held for this purpose. Provided, further, that the provisions of this act shall apply only in such county or counties as already have or may hereafter have county-wide local taxation.”

Mr. Bynum offered the following amendment which was adopted, to-wit:

“Amend Section one of bill by adding after last

word in last line thereof, the following, to-wit: provided, that the provisions of this act shall not apply to taxing property in municipalities which have heretofore adopted a local school system.”

Mr. Olive offered the following amendment which was adopted, to-wit:

“Amend Section 1 by adding the following: Provided this act shall not apply to counties having a population of more than 45,000 inhabitants by the census of 1910.”

The report of the committee which was favorable to the passage of the bill was agreed to, as amended.

Upon the passage of the bill as amended, the ayes were 33 and nays 0.

The bill having received the requisite constitutional majority was passed, as amended.

The following Senate bill was taken up for a third reading, to be put upon its passage, to-wit:

By Mr. Peacock—

A bill to propose to the qualified electors an amendment to Paragraph 2, Section 1, Article 11 of the Constitution, so as to create the new county of Treutlen.

The report of the committee which was favorable to the passage of the bill was agreed to.

Upon the passage of the bill the ayes and nays were as follows:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beck, E. H.	Ficklen, Boyce.	Moore, J. B.
Blackwell, F. M.	Field, Alonzo.	Mundy, I. F.
Brown, T. A.	Gilmore, George.	Odum, J. C.
Bynum, T. L.	Hendricks, W. H.	Peacock, D. Roscoe.
Carswell, Geo. H.	Hullender, W. C.	Price, H. H.
Council, M. B.	Humber, R. T., Jr.	Stevens, C. O.
Davison, James.	Kirby, J. T.	Townsend, S. C.
Dickerson, R. G.	Loftin, Frank S.	Weaver, W. F.
Dukes, J. P.	Logan, J. B. G.	Wohlwender, Ed.
Dykes, J. R.	Merry, H. H.	Yeoman, Sol. J.
Edwards, Chas. H.		

Those voting in the negative were Messrs.—

Beauchamp, J. C.	Heath, E. V	Redwine, C. D.
DeJarnette, H. R.	Hopkins, H. W	Riner, M. T.
Denny, R. A.	Leonard, R.	

Ayes 34, nays 8.

The bill having received the requisite constitutional majority was passed, and the bill is as follows:

A BILL

To propose to the qualified electors of this State an amendment to Paragraph Two (2), Section One (1), Article eleven (11), of the Constitution of this State. The following amendment is proposed by the House of Representatives and Senate of Georgia to Paragraph Two (2), Section One (1), Article Eleven (11), of the Constitution of this State: The same being an Act to lay out and create a new county from portions of Montgomery and Emanuel counties to be named and to be known as Treutlen County with the town of Soperton as the county seat.

SECTION 1. The General Assembly of the State of Georgia hereby proposes to the people of Georgia an amendment to Paragraph Two (2), Section One (1), Article Eleven (11), of the Constitution of this State as follows: That in addition to the counties heretofore existing in this State, created by the General Assembly, and those created by amendments to the above and foregoing Paragraph, Section and Article of the Constitution of this State, there is hereby created an additional county, which county, when created, shall be known as Treutlen County. The territory for the formation of the said County of Treutlen shall be taken from the counties of Montgomery and Emanuel, and the said territory so taken for the formation of said county of Treutlen shall be included within the following described boundaries, to-wit: Starting at a point on the east side of the Oconee river where Red Bluff creek empties into the Oconee river and running up said Red Bluff creek to a point where the River road crosses Red Bluff creek, thence on a straight line in a northeasterly direction to Wixtrum's bridge on Pendleton creek, said Pendleton creek being the present line between Montgomery and Emanuel counties, thence in a northerly direction from Wixtrum's bridge on Pendleton creek to Moore's bridge on the Ohoopee river; the public road from Wixtrum's bridge leading to Swainsboro being the line to said Moore's bridge on the Ohoopee river; thence up the run of the Ohoopee river from Moore's bridge to McLemore's bridge, where the Savannah and Dublin public road crosses the Ohoopee river;

thence in a westerly direction along said Savannah and Dublin public road to where said public road crosses the county line between Laurens and Emanuel Counties; thence in a southwesterly direction along the county line between the present Counties of Emanuel and Laurens to Pendleton creek; thence along the county line between Laurens and Montgomery Counties to Mercer's creek; thence down Mercer's creek in a southwesterly direction to where Mercer's creek empties into the Oconee river; thence down the Oconee river to the mouth of Red Bluff creek, at the starting point.

That if said county is created the county seat shall be at the town of Soperton now in the County of Montgomery.

That if this amendment shall be ratified by the people when the same is submitted to them for their ratification, then, on the first Wednesday in December, 1918, an election shall be held for the election of county officers herein named to serve in and for said new county; that said election shall be at the said election precincts existing within the limits of said proposed new county at the time this amendment shall take effect, and be held during the hours now fixed by law for holding elections, and all legally qualified voters residing in the territory included in the limits of said proposed new county shall be qualified to vote at said election for said officers, and the ordinaries of the several counties in which the election precincts are located within the limits of the said proposed new county at the time this amendment is to take effect shall each appoint

the election managers for the precincts in the county in which he exercises jurisdiction as ordinary, and said managers shall take and subscribe the oath now prescribed by law; and the election managers shall on the day succeeding the election meet at the town of Soperton, the place herein designated as the county seat of said proposed new county, and consolidate the vote cast at said election at such place within the limits of the said town of Soperton as shall be designated by the judge of the superior court of the Oconee Circuit, whose duty it is hereby made to designate a meeting place for said election managers within the corporate limits of said town of Soperton; and the general law of this State now in force as to the consolidation of votes, the return of the election, and the commission of the officers shall be applicable at such special election herein provided for.

The officers to be elected at said election shall be an ordinary, clerk of the superior court, sheriff, tax-collector, tax-receiver, coroner, county surveyor, county treasurer, county superintendent of education and member of the General Assembly; that the persons who shall be elected to fill said offices at said election shall be commissioned as now required by law, and the laws now in force in this State in regard to commissions for officers and the bonds required of them shall be applicable to the officers so elected, and they shall hold their offices until the next general election for county officers and until their successors are elected and qualified.

The General Assembly is hereby given power to

create any statutory offices or statutory courts and provide for filling the same. Vacancies that may occur before the next general election in any of said offices shall be filled as now provided by law

That said new county when created shall become a part of the Twelfth Congressional District and Sixteenth Senatorial District, and shall be included in the Oconee Judicial Circuit, and a superior court for said county is hereby created, which court shall have the same jurisdiction as now provided by law for the superior courts of this State; that the said court until otherwise changed by law shall be held on the third Monday of February and August of each year, but the General Assembly is hereby expressly given the power to change the terms of said court and to increase the number thereof; that the justices of the peace and constables residing within the territory included within the new county of Treutlen shall exercise the duties and power of their offices until new militia districts are laid out for said County of Treutlen as now provided by law.

That the provisions of Chapter 13 of the Code of 1910 are hereby made applicable to said proposed County of Treutlen, and that all the general laws of this State in reference to holding elections for the purpose of creating debt, and that the said proposed County of Treutlen shall, when created, become in all respects a statutory county, and shall be governed by all laws now in force in this State relating to counties and county affairs, and shall be subject to the legislative control of this State, and the Legislature of this State is hereby given power to enact

laws in reference to said county in the same manner and the same extent that they have the power to legislate as to the other counties now existing in this State;

That the property of all taxpayers included within the limits as herein defined of the said proposed County of Treutlen is hereby made chargeable with any debt that may have been incurred by any of the counties from which the territory included in the new county is taken by the legally constituted authorities of the county for the purpose of raising revenues for the benefit of either of said counties, whether the said debt is a bonded debt or one which has been incurred for the benefit in any way of either of the counties. The value of the taxable property included in the said County of Treutlen at the time of the adoption of this amendment to the Constitution, in proportion to the value of the property left in the counties from which the said County of Treutlen is taken, shall determine the proportionate amount of the debt which shall be put upon the property of the taxpayers located in said proposed new county.

Authority is hereby given to the ordinary of the said County of Treutlen and to the officers of the counties from which said territory is taken who are charged with the management of the business of the said counties to settle and agree upon an amount of the said indebtedness that shall be assumed and paid by the said County of Treutlen; and it is hereby made the duty of the ordinary of said County of Treutlen when the amount of said debt is so ascer-

tained to cause a tax to be levied upon all the property within the limits of the said County of Treutlen of such per cent. as will be sufficient to discharge said debt; and in the event of the failure or refusal of the ordinary of Treutlen County to levy such tax it shall be the duty of the judge of the superior court of the circuit of which the said County of Treutlen forms a part to compel the ordinary of the County of Treutlen to perform the duty herein required of him. In the event of the failure of the authorities of the said County of Treutlen to ascertain the proportionate part of said debt the said County of Treutlen is hereby required to pay, or in the event the authorities of the counties fail to agree upon the amount of said debt, then either of said counties may bring a suit against the said County of Treutlen in the superior court of said county for the purpose of having the proportion of said debt so assumed by the said County of Treutlen to be ascertained, and the said court is hereby given power to enforce whatever judgment may be had as the result of said trial by compelling the ordinary of said county to levy a tax for the payment of said debt.

SEC. 2. That Section 846 of the Code of 1910 in reference to the registration of voters is hereby expressly made applicable to said county, and in addition to the provisions contained in said section, it is hereby made the duty of the ordinaries of the several counties in the territory included in said county to furnish to the election managers the names of all persons legally registered and who reside in the territory included in the said County of

Treutlen and who are qualified to vote according to the laws of this State.

SEC. 3. The Governor is hereby directed and required to submit this proposed amendment to the people of this State for their ratification or rejection at the next general election to be held on Tuesday after the first Monday in November, 1918, and it shall be his duty to cause this proposed amendment to be advertised in at least one paper in each Congressional District in this State at least two months before said general election. If a majority of the legally qualified voters voting at said election shall ratify this proposed amendment, then it shall become a part of the constitution of this State when the vote is certified by the Secretary of State to the Governor that a majority of the legally qualified voters voting at said election have voted in favor of its adoption and the Governor shall issue his proclamation to that effect.

SEC. 4. The form in which this proposed amendment shall be submitted to the people for their ratification or rejection shall be as follows: Those voting for this amendment shall have written or printed on their ballots the words "In favor of the ratification of the amendment to Paragraph 2, Section 1, Article 11 of the Constitution creating the County of Treutlen," and those opposed to the ratification of this amendment shall have written or printed on their ballots the words "Against the ratification of the amendment to Paragraph 2, Section 1, Article 11 of the Constitution creating the County of Treutlen."

The following resolution was read and lost to-wit:

By Mr. Ficklen—

A resolution providing for sessions of the Senate of one and a half hours convening at 8 o'clock p. m., beginning with this date.

Senate Bills Nos. 9 and 47 were ordered immediately transmitted to the House.

Mr. DeJarnette moved that when the Senate adjourns today it meet at 9 o'clock a. m. tomorrow. The motion was lost.

The Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.,

Thursday, August 2, 1917

The Senate met pursuant to adjournment at 10 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names, to-wit:

Upon the call of the roll the following Senators answered to their names, to-wit:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Mundy, I. F.
Blackwell, F. M.	Gilmore, George.	Odom, J. C.
Brown, T. A.	Heath, E. V.	Peacock, D. Roscoe.
Bynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Hullender, W. C.	Riner, M. T.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Lcftin, Frank S.	Wohlwender, Ed.
Lukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	Merry, H. H.	Mr. President.
Edwards, Chas. H.		

By unanimous consent the reading of the Journal of vesterday's session was dispensed with.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has read and agreed to Senate amendment to the following resolution of the House, to-wit:

A resolution to require State House officers to file annual reports and to mail same to each member of the General Assembly.

The House has read and agreed to Senate substitute to the following bill of the House, to-wit:

A bill to amend an Act incorporating the City of Manchester.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bill of the Senate, to-wit:

A bill to provide for two weeks' term of the Superior Court of Taylor county.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has passed by the requisite constitutional majority the following bills of the House, to-wit:

A bill to provide for holding two terms of the Superior Court in Tift county.

A bill to reincorporate the City of Clarkesville.

A bill to amend an Act incorporating the town of Temple.

A bill to amend an Act incorporating the Town of Temple.

A bill to extend the time one week each term of the Bleckley County Superior Court.

A bill to amend an Act creating a Board of Commissioners of Roads and Revenues for the County of Laurens.

A bill to prohibit the removal of fish from any of the streams, lakes, or ponds within the boundaries of Charlton County.

A bill to amend an Act establishing City Court of Dublin.

The following House bills were withdrawn from the Committee on Counties and County Matters, read the second time, and recommitted to said committee, to-wit:

By Mr. Swords—

A bill to fix the salary of the Treasurer of Morgan County.

By Mr. Burkhalter—

A bill to amend an act approved July 31, 1915, known as “Tattnall Board of Commissioners” Act.

The following House bill was withdrawn from the Committee on Counties and County Matters, read the second time and referred to Committee on Public Roads, to-wit:

By Mr. Burkhalter—

A bill to amend an Act approved July 31, 1915, known as Tattnall Road Law.

Upon motion House bill No. 101 was withdrawn from Committee on Special Judiciary and referred to the Committee on Counties and County Matters.

The following Senate bills were withdrawn from

the committees, read the second time and recommit-
ted, to-wit:

By Mr. Bynum—

A bill to amend Section one of an Act to give consent by the State to the acquisition by the United States of such lands as may be needed to establish National Forest Reserve.

Recommitted to Committee on State of Republic.

By Messrs. Peacock, Andrews and others—

A bill to allow voters absent from the State, to vote in certain elections and primaries.

Recommitted to Privileges and Elections Committee.

By Messrs. Andrews and Beauchamp—

A bill to prevent the desecration of any flag or emblem of the United States.

Recommitted to Committee on State of Republic.

Upon motion of Mr. Andrews Senate bill No. 101 was taken from the table.

Mr. Peacock, of the 15th District, vice-chairman of the Committee on Corporations, submitted the following report:

Mr President:

Your Committee on Corporations has had under consideration the following bill of the House, and instructed me, as their vice-chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

No. 289. A bill to amend an Act establishing a new charter for the City of Atlanta.

Respectfully submitted,

PEACOCK, Vice-Chairman.

Mr. Beck, of the 43rd District, chairman of the Committee on Counties and County Matters, submitted the following report:

Mr President:

Your Committee on Counties and County Matters has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to abolish the Commissioners of Roads and Revenues of Wilkes County.

A bill to establish a Board of Commissioners of Roads and Revenues of Wilkes County.

A bill to abolish the Board of Roads and Revenues of Walker County.

Respectfully submitted,

BECK, Chairman.

Mr. Dickerson, of the 5th District, chairman of the Committee on General Judiciary No. 2, submitted the following report:

Mr. President:

Your Committee on General Judiciary No. 2 has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to provide for the nomination by political parties in this State of candidates for United States Senator, Governor, State House Officers, Justices of Supreme Court and Judges of Court of Appeals.

Respectfully submitted,
R. G. DICKERSON, Chairman.

Mr. Dickerson, of the 5th District, chairman of the Committee on General Judiciary No. 2, submitted the following report:

Mr. President:

Your Committee on General Judiciary No. 2 has had under consideration the following bills of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to correct defects in law of 1916 relating to special registration of voters in county bond elections.

A bill to fix the compensation for deputy sheriffs serving in the superior, city and criminal courts in counties having a population of 110,000 inhabitants or more.

Your committee has had under consideration the following bill of the House which I am instructed to report back to the Senate with the recommendation that the same be read the second time and recommitted to said committee, to-wit:

A bill to provide for the registration of land titles.

Respectfully submitted,
R. G. DICKERSON, Chairman.

Mr. Beauchamp, chairman of the Committee on Tuberculosis Sanitarium, submitted the following report:

Mr President:

We, the Committee on Tuberculosis Sanitarium, beg leave to submit the following:

This institution is accomplishing everything possible, with the limited equipment at its disposal.

Having no vital statistics in Georgia, we have no way of determining, with any degree of accuracy, the number of people in the State, who are afflicted with tuberculosis; but we know that the number is so large that this institution will never be enlarged to the extent to care for all these unfortunate people.

In this connection we desire to call attention to the very excellent plan of the management of the institution, viz.: to impress each patient with the fact, that they may become missionaries of sanitation, not only protecting themselves from infectious diseases, but telling their neighbors, when they return home, how they may avoid tubercular infection.

We commend, unreservedly, the management of the institution, and believe that it is worthy of the best support the State is able to give it.

Respectfully submitted,
BEAUCHAMP, Chairman,
LOGAN,
EDWARDS,
MOORE,
Committee.

The following communication was read, to-wit:

STATE OF GEORGIA,

Executive Department,

Atlanta, Ga., July 31, 1917

Hon. Samuel Olive,
President of the Senate,
Hon. Jno. N. Holder,
Speaker of the House,
State Capitol, Atlanta, Ga.

Dear Sirs:

I herewith hand you a copy of bill which will, if passed, enable the State, without compromising its position on the whisky question, to dispose of the Judson Hand wine, and devote the proceeds of the sale to the education of poor boys, to which purpose Mr. Hand undoubtedly intended that the proceeds of the sale of this wine should go.

This bill is drawn by Mr. J. J. Hill, Counselor-at-Law, Pelham, Ga. He suggests that the bills being introduced, being special in their nature, would put the State in the attitude of protecting specially something which is condemned by the general policy of the law.

Mr. Hill's bill would not only apply to the Hand wines, but to all wines falling within the class enumerated in the bill.

It seems to me that the State can very well afford to adopt this policy, and I hope you agree with me, and that circumstances will be such that you can do something to have the bill passed as pre-

sented, or amend same and pass it, so that in any event the wine may be saved.

With regards,

Yours very truly,

HUGH M. DORSEY.

The following resolution was read and adopted, to-wit:

By Mr. Townsend of the Fourth—

Whereas, This body was surprised and pained at the sudden illness of Hon. I. F. Mundy, the distinguished Senator from the 38th District, on yesterday, and

Whereas, It was deemed necessary by the attending physician to perform an operation for the relief of our brother Senator, and

Whereas, It will be necessary for him to remain away from this body and under the care of his physician during the remainder of this session.

Therefore be it resolved by the Senate of the State of Georgia, That we extend our warmest sympathy to our brother Senator and his family, and express a sincere regret for the loss of service of this Senator during the session, and a hope for a complete and speedy recovery, and that each and every one of us hereby tender to him and his family our services in any way that the same may be of use during his illness, and place ourselves at the disposal of his relatives at any and all times.

Resolved, further, That a copy of this resolution be spread upon the minutes of this Senate, and that

the Secretary transmit to Mrs. I. F. Mundy a copy of the same.

The following Senate bills were read the first time, to-wit:

By Mr. Olive—

A bill to provide for the sale without the State, of certain domestic wines, by executors or administrators on certain conditions.

Referred to Committee on University of Georgia.

By Mr. Denny—

A bill to amend Section 372 of the Penal Code by prescribing a special penalty for committing the offense of fornication.

Referred to General Judiciary Committee No. 1.

By Mr. Stevens—

A bill to amend the charter of the Town of Maxeys.

Referred to Committee on Corporations.

The following Senate bills were read the third time, to be put upon their passage, to-wit:

By Mr. Logan—

A bill to divide the County of Franklin into three Commissioners' Districts.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Townsend—

A bill to authorize the City of St. Marys to close certain streets in said city.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Price—

A bill to create a Board of Commissioners of Roads and Revenues for the County of Oconee.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was read the second time, to-wit:

By Mr. Heath—

A bill to correct defects in the law of 1916 relating to special registration of voters in county bond elections.

The following House bills were read the first time, to-wit:

By Messrs. Beck and Bagwell of Carroll—

A bill to amend the charter of the Town of Temple.

Referred to Committee on Corporations.

By Messrs. Stubbs and Davis of Laurens—

A bill to amend an Act creating a Board of Commissioners of Roads and Revenues for the County of Laurens.

Referred to Committee on Counties and County Matters.

By Messrs. Davis and Stubbs—

A bill to amend an Act to establish the city court of Dublin.

Referred to Committee on Special Judiciary.

By Mr. Walker of Bleckley—

A bill to extend the time one week of each term of the Bleckley County Superior Court.

Referred to Committee on Special Judiciary.

By Mr. Pickren of Charlton—

A bill to prohibit the removal of fish by transportation, shipping or otherwise from any streams, within the boundaries of Charlton County.

Referred to Game and Fish Committee.

By Messrs. Beck and Bagwell—

A bill to amend the charter of the Town of Temple.

Referred to Corporations Committee.

By Mr. Ellis of Tift—

A bill to amend an Act creating the Tifton Judicial Circuit.

Referred to Committee on Special Judiciary.

By Mr. McKimzey of Habersham—

A bill to incorporate the City of Clarkesville.

Referred to Corporations Committee.

By Mr. Lankford of Toombs—

A bill to prohibit the running at large of any bull or boar over 4 months of age in Toombs county.

Referred to Committee on General Judiciary No. 2.

The following Senate bill was taken up for a third reading, to-wit:

By Mr. Stevens—

A bill to provide for the collection of past-due taxes to State, county or municipality.

The bill was read the third time.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

Upon the passage of the bill by substitute, the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed, by substitute, and the substitute is as follows, to-wit:

A BILL

To be entitled an Act to provide for the collection of taxes due to the State, counties and municipalities and schools thereof, and for other purposes.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That when the owner of property has omitted to return the same for taxation at the time and for the years the return should have been made, or, having returned his property, or part of same, has grossly undervalued the property returned, or his property has been assessed for taxation at a figure grossly below its true value, such owner, or, if dead, his personal representative or representatives, is now required to return such property for taxation for each year he is delinquent, whether delinquency results from failure to return or from gross undervaluation, either by the delinquent or by assessors, provided, however, that the provisions of this section shall not apply to property, real or personal, previously alienated or encumbered.

SEC. 2. Be it further enacted, That when the owner of said property, or, if dead, his personal representatives, refuses or fails to make returns in cases of property which should have been returned to the Comptroller-General, the said Comptroller-General shall notify in writing such owner, or his personal representative or representatives, of his

delinquency, demanding that a return shall be made thereof within twenty days.

SEC. 3. Be it further enacted, That when such property is of that class which should be returned to the tax-receivers of the county, the said tax-receiver shall notify in writing such delinquent, or, if dead, his personal representative or representatives, of such delinquency, requiring that a return shall be made thereof within twenty days.

SEC. 4. Be it further enacted, That if the delinquent, or his personal representative or representatives, as provided for in Section 2 of this Act, refuses or fails to return such property after the notice given, or returns it below what the Comptroller-General deems its value, it shall then be the duty of the Comptroller-General to assess such property for taxation for State, county, municipal and school purposes, from the best information he can obtain as to its value for each year in default, and notify such delinquent, or his personal representative or representatives, of the valuation, which valuation shall be final, unless the person or persons so notified raise the question that it is excessive, in which event the further procedure shall be as provided by Section 1045 of the Code of 1910.

SEC. 5. Be it further enacted, That if the delinquent or his personal representative or representatives, as provided under Section 3 of this Act, refuses or fails to return such property after notice given him, it shall be the duty of the tax-receiver to assess such property for taxation from the best

information he can obtain as to its value for the years in default and notify such delinquent of the valuation, which shall be final, unless the person or persons so notified raises the question that it is excessive, in which event the further procedure shall be the same as provided by laws when the value of returned property is arbitrated.

SEC. 6. Be it further enacted, That if the delinquent under Section 2 disputes the taxability of such property he may raise that question by petition in equity in the Superior Court of Fulton county, and if such delinquent be dead, his personal representative or representatives shall have the same right.

SEC. 7 Be it further enacted, That if the delinquent, or his personal representative or representatives, under Section 3 disputes the taxability of such property he may raise that question by petition in equity in the superior court of the county where said property is assessed.

SEC. 8. Be it further enacted, That so much of the Act of 1908, Sections 1055 to 1061, Code of 1910, and all other laws and parts of laws, in conflict with this Act be and the same are hereby repealed.

Mr. Peacock, of the 15th District, vice-chairman of the Committee on Corporations, submitted the following report:

Mr President:

Your Committee on Corporations has had under consideration the following Senate bill, and in-

structed me, as their vice-chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to incorporate the Town of South West La-Grange.

Respectfully submitted,
PEACOCK, Vice-Chairman.

The following House bills were read the third time to be put upon their passage, to-wit:

By Messrs. Booker and Anderson of Wilkes—

A bill to establish a Board of Commissioners of Roads and Revenues for Wilkes County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Jones and Arnold of Coweta—

A bill to provide for filling vacancies in the office of County Treasurer of Coweta County

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Giddens of Berrien—

A bill to amend an Act creating the City Court of Nashville.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Sumner of Wheeler—

A bill to change the time for holding the Superior Court of Wheeler County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. King of Jefferson—

A bill to amend an Act creating the City Court of Louisville.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Lawrence, Eve and Wylly—

A bill to amend the several acts relating to the City Court of Savannah.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Atkinson, White, Smith of Fulton and others—

A bill to amend the charter of the City of Atlanta.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Blasingame and Wright of Walton—

A bill to create a Board of Commissioners of Roads and Revenues for County of Walton.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Booker and Anderson, of Wilkes—

A bill to abolish the Board of Commissioners of Roads and Revenues for the County of Wilkes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Arnold and Jones of Coweta—

A bill to amend the charter of the City of Newnan.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Harvin of Calhoun—

A bill to repeal an Act to create the City Court of Morgan, Calhoun County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Ellis of Tift—

A bill to repeal an Act creating the office of Commissioner of Roads and Revenues for the County of Tift.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Brown of Clarke—

A bill to provide for four terms a year of the Clarke County Superior Court.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Hatcher of Wayne—

A bill to abolish the office of County Treasurer of Wayne County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Stovall—

A bill to fix the salary of the Treasurer of McDuffie County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Harvin of Calhoun—

A bill to amend an Act increasing the Board of Commissioners of Roads and Revenues for Calhoun County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Bagwell and Beck of Carroll—

A bill to amend an Act creating the office of Commissioner of Roads and Revenues for the County of Carroll.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Lanier of Bulloch—

A bill to amend an Act creating the Board of Commissioners of Roads and Revenues for the County of Bulloch.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Williams and Parker of Ware—

A bill to fix the salary of the Treasurer of Ware County at \$600.00 per annum.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Turner and McCall of Brooks—

A bill to amend an Act creating the Board of Commissioners of Roads and Revenues for Brooks County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Harris of Walton—

A bill to abolish the Board of Commissioners of Roads and Revenues of Walker County; to create a Board of Commissioners of Roads and Revenues, and for other purposes.

The report of the committee, which was favorable to the passage of the bill, by substitute, was agreed to.

Upon the passage of the bill, by substitute, the ayes were 30 and nays 0.

The bill having received the requisite constitutional majority was passed, by substitute.

The following House bill was read the second time and recommitted to the General Judiciary Committee No. 2, to-wit:

By Messrs. Johnson of Appling, Turner of Brooks, and others—

A bill to provide for registration of land titles.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Nelms:

Mr. President:

I am directed by His Excellency, the Governor, to deliver to the Senate a sealed communication to

which he respectfully invites the consideration of your honorable body in executive session.

Mr. Field, of the 34th District, chairman of the committee on General Judiciary No. 1, submitted the following report:

Mr. President:

Your Committee on General Judiciary No. 1 has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to be entitled an Act to define and fix the age at which female children may lawfully consent to acts of sexual intercourse, to provide a punishment for a violation thereof.

Respectfully submitted,

FIELD, Chairman.

The following House bill was read the second time, to-wit:

By Mr. Neill of Muscogee—

A bill to provide for the nomination by political parties in this State, of candidates for United States Senator, Governor, State House officers, etc.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Hopkins—

A bill to make it a misdemeanor for any man, without just cause, to desert or fail to support his wife, in destitute circumstances.

Mr. Heath offered the following amendment:

Amend by striking the words "no other or greater evidence shall be required to prove the marriage of such husband and wife than is or shall be required to prove such facts in a civil action," these words appearing in the first sentence of Section 3 of said bill.

Upon the adoption of the amendment the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Ficklen, Boyce.	Loftin, Frank S.
Beck, E. H.	Field, Alonzo.	Logan, J. B. G.
Brown, T. A.	Gilmore, George.	Merry, H. H.
Davison, James.	Heath, E. V.	Mills, Joe Brown.
Denny, R. A.	Hendricks, W. H.	Peacock, D. Roscoe.
Dickerson, R. G.	Hullender, W. C.	Weaver, W. F.
Dukes, J. P.	Kirby, J. T.	Yeoman, Sol. J.
Elders, H. H.	Leonard, R.	

Those voting in the negative were Messrs.—

Beauchamp, J. C.	Dykes, J. R.	Riner, M. T.
Bynum, T. L.	Edwards, Chas. H.	Stevens, C. O.
Carswell, Geo. H.	Hopkins, H. W.	Wohlwender, Ed.

Those not voting were Messrs.—

Blackwell, F. M.	McCore, J. B.	Price, H. H.
Council, M. B.	Mundy, I. F.	Redwine, C. D.
DeJarnette, H. R.	Odom, J. C.	Townsend, S. C.
Humber, R. T., Jr.		

Ayes 23, nays 9.

The amendment was adopted.

The following committee amendments were read and adopted, to-wit:

Amend Senate bill No. 72 by striking Section 5 and inserting in lieu thereof the following:

“SECTION 5. Be it further enacted, That in the event of the conviction of any person of a violation of any of the provisions of this act the presiding judge shall have the right to suspend sentence on condition that the defendant provide for the support of his wife, such funds as may in his discretion be proper, considering his earning capacity and may in his discretion require bond of the defendant to insure this and said judge may terminate such suspension of sentence at any time upon failure of the defendant to comply with the order of the court.”

Also to amend the caption of said bill by striking all after the word “cases” in the sixth line thereof, and inserting in lieu thereof the following words: “to authorize the judge to suspend sentence after conviction upon terms and conditions to be imposed by him, and for other purposes.”

The report of the committee which was favorable to the passage of the bill as amended, was agreed to, as amended.

The bill was read the third time and upon its passage as amended, the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed, as amended.

The following Senate bill was taken up for a third reading and tabled, to-wit:

By Messrs. Andrews and Price—

A bill to relieve property of tax-receivers from any lien prior to the execution against them for payment of any taxes collected by them and for the failure of any official duty.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Andrews—

A bill to fix the compensation for deputy sheriffs serving in the superior, city and criminal courts, in counties of this State having a population of 110,000 inhabitants or more.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 28 and nays 0.

The bill having received the requisite constitutional majority was passed.

The following resolutions were read and referred to the Committee on Rules, to-wit:

By Mr. Gilmore—

A resolution to set Senate bill No. 101 as a special and continuing order for Friday, August 3rd.

By Mr. Weaver—

A resolution to set Senate bill No. 123 as a special and continuing order for Tuesday, August 7th.

By Mr. Beck—

A resolution providing that Senate bill No. 113 be made a special order for Friday, August 3rd.

Senate bills Nos. 72 and 59 were ordered immediately transmitted to the House.

The following message was received from the House through Mr. Moore, the Clerk thereof.

Mr President:

The House has passed by the requisite constitutional majority the following bills of the Senate, to-wit:

A bill to amend Act to incorporate the Town of Leslie.

A bill to amend an Act to provide a new charter for the Town of Stone Mountain.

A bill to abolish Board of Commissioners of Roads and Revenues for the County of Baker.

A bill to create a Board of Commissioners of Roads and Revenues for the County of Baker.

Mr. Hullender, of the 44th District, chairman of the Committee on Enrollment, submitted the following report:

Mr President:

Your Committee on Enrollment report as duly enrolled and ready for the signature of the President of the Senate and Speaker of the House the following Acts, to-wit:

An Act to repeal the Act creating a Board of Commissioners of Roads and Revenues for White County.

An Act to create a Board of Commissioners of Roads and Revenues for the County of White.

An Act to authorize the creation of a system of public schools in the City of Blackshear.

An Act to repeal an Act establishing a Board of Commissioners of Revenues, etc., for Murray County.

An Act to create a Board of Supervisors of Roads for the County of Murray.

An Act to fix the salary of the Treasurer of Sumter County.

An Act to establish a City Court in the Town of Cleveland, County of White.

Respectfully submitted,
W C. HULLENDER, Chairman.

Mr. Hullender, of the 44th District, Chairman of the Committee on Enrollment, submitted the following report:

Mr. President:

Your Committee on Enrollment report as duly signed by the President of the Senate and Speaker of the House of Representatives and delivered to the Governor the following Acts, to-wit:

An Act to repeal the Act creating a Board of Commissioners of Roads and Revenues for White County.

An Act to create a Board of Commissioners of Roads and Revenues for the County of White.

An Act to authorize the creation of a system of public schools in the City of Blackshear.

An Act to repeal an Act establishing a Board of Commissioners of Revenues, etc., for Murray County.

An Act to create a Board of Supervisors of Roads for the County of Murray.

An Act to fix the salary of the Treasurer of Sumter County.

An Act to establish a City Court in the Town of Cleveland, County of White.

Respectfully submitted.

W C. HULLENDER, Chairman.

Mr. Hullender, of the 44th District, Chairman of the Committee on Enrollment, submitted the following report:

Mr. President:

Your Committee on Enrollment report as duly enrolled and ready for the signature of the President of the Senate and Speaker of the House the following Acts, to-wit:

An Act to amend an Act to abolish the office of County Treasurer for the County of Greene.

An Act to amend an Act to provide compensation for the members of the Board of Commissioners of Roads and Revenues for Catoosa County.

Respectfully submitted,

W C. HULLENDER, Chairman.

Mr. Hullender, of the 44th District, Chairman of the Committee on Enrollment, submitted the following report:

Mr. President:

Your Committee on Enrollment report as duly signed by the President of the Senate and Speaker of the House, and delivered to the Governor, the following Acts, to-wit:

An Act to amend an Act to abolish the office of County Treasurer for the County of Greene.

An Act to amend an Act to provide compensation for the members of the Board of Commissioners of Roads and Revenues for Catoosa County.

Respectfully submitted,
W C. HULLENDER, Chairman.

At 12:17 o'clock P M. the Senate went into executive session.

The hour of 12:30 o'clock P M. having arrived the Senate repaired to the Hall of the House of Representatives.

The joint assembly was called to order by the President of the Senate.

The resolution convening the General Assembly in joint session was read.

General A. J. West of Atlanta on behalf of Mrs. Eliphalet Fraser Andrews presented to the State an oil portrait of the late General John B. Gordon.

The portrait was accepted on behalf of the State by Hon. Sam L. Olive, President of the Senate.

On motion the joint session was dissolved.

The Senate returned to its chamber and was called to order by the President.

The Senate adjourned until tomorrow morning, at 10 o'clock.

ATLANTA CHAMBER, ATLANTA, GA.

Friday, August 3, 1917

The Senate met pursuant to adjournment at 10 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names, to-wit:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Odom, J. C.
Blackwell, F. M.	Gilmore, George.	Peacock, D. Roscoe.
Brown, T. A.	Heath, E. V.	Price, H. H.
Bynum, T. L.	Hendricks, W. H.	Redwine, C. D.
Carswell, Geo. H.	Hopkins, H. W.	Riner, M. T.
Davison, James.	Hullender, W. C.	Stevens, C. O.
DeJarnette, H. R.	Humber, R. T., Jr.	Townsend, S. C.
Denny, R. A.	Kirby, J. T.	Weaver, W. F.
Dickerson, R. G.	Leonard, R.	Wohlwender, Ed.
Dukes, J. P.	Loftin, Frank S.	Yeoman, Sol. J.
Dykes, J. R.	Logan, J. B. G.	Mr. President.
Edwards, Chas. H.	Merry, H. H.	

Those absent were Messrs.—

Council, M. B.

Mr Denny of the 42nd District offered the following resolution which was adopted, to-wit:

Whereas, With the profoundest regret we have just learned of the death of our honored and beloved associate, the Hon. I. F Mundy, Senator from the 38th District.

And, whereas, this body feels with keenest sentiment the double loss sustained by us at this session.

Now, therefore, be it resolved, That this body do

now take a recess until Monday morning next at 11:15 o'clock.

Resolved, further, That a committee of three (3) be appointed by the President to draft suitable resolutions upon the loss sustained by us.

Resolved, further, That a committee of nine (9) be appointed by the President to attend the funeral of Senator Mundy in a body.

In accordance with the provisions of the above Resolution the President announces the following Senators as constituting the committee to attend the funeral of Senator Mundy at Rockmart, Ga., to-wit:

Messrs. Denny, Andrews, Hullender, Brown, Townsend, Field, Beck, Merry and Odom.

The President also appointed the following Senators as members of the committee to prepare resolutions upon the life and services of Senator Mundy, to-wit:

Messrs. Denny, Merry and Davison.

In accordance with the provisions of the resolution just adopted the Senate adjourned until Monday, August 6, 1917, at 11:15 o'clock A. M.

SENATE CHAMBER, ATLANTA, GA.,

Monday, August 6, 1917

The Senate met pursuant to adjournment at 11:15 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

By unanimous consent the call of the roll was dispensed with.

By unanimous consent the reading of the Journals of August 2nd and 3rd was dispensed with.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has passed, as amended, by the requisite constitutional majority the following bill of the Senate, to-wit:

A bill to amend an Act creating a new charter for the City of Rome.

The House has passed by the requisite constitutional majority the following bill of the Senate, to-wit:

A bill to amend an Act fixing the compensation of the County Treasurer of Polk County.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has passed by the requisite constitutional majority the following bills of the House, to-wit:

A bill to amend an Act creating a new charter for the City of Atlanta.

A bill to amend an Act to establish a charter for the City of Douglas.

A bill to amend an Act to provide a new charter for the City of Tifton.

A bill to repeal an Act authorizing Board of Lights and Waterworks of Marietta to levy and collect an annual sewer tax.

A bill to establish a system of public schools in the Town of Lawrenceville.

A bill to establish a new charter for the City of Albany.

A bill to amend an Act to establish a charter of the Town of Saint George.

A bill to abolish the office of County Treasurer of Glynn County.

A bill to amend an Act incorporating the Town of Waco.

A bill authorizing Ordinary of Habersham County to use county convicts, tools and mules to repair streets in towns and cities in Habersham County.

A bill to amend an Act establishing charter of the City of Covington.

A bill to change the manner in which the Board of Commissioners of Early County shall be elected.

A bill to amend an Act to establish charter for the City of Buford.

A bill to incorporate the Town of Rhine.

A bill to create a new charter for the Town of Roswell.

A bill to amend an Act incorporating the Town of Rebecca.

A bill rearranging the Cordele and Tifton Judicial Circuits of Superior Courts.

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues in the County of Coweta.

A bill to amend an Act creating the charter of the City of Hawkinsville.

A bill to abolish office of County Commissioner of Hart County.

A bill to amend an Act incorporating the City of Lilly.

A bill to amend an Act to establish the charter of the Town of Waleska.

A bill to divide the County of Franklin into road districts.

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Twiggs County.

A bill to amend an Act creating office of Commissioner of Roads and Revenues of Newton County.

A bill to amend the charter of the City of McRae.

A bill to fix the salary of the Treasurer of Dodge County.

A bill to fix the salary of the Treasurer of Newton County.

A bill to amend an Act creating the Board of County Commissioners of Douglas County.

A bill to change the terms of the Mayor and Council of the City of Swainsboro.

A bill to amend an Act to provide a new charter for the Town of Arlington.

A bill to amend an Act incorporating the Town of Adrian.

A bill to provide for the collection of commutation taxes by militia districts of Newton County.

Mr. Heath, vice-chairman of the Committee on Rules, submitted the following report:

Mr President:

Your Committee on Rules has had under consideration Senate resolution No. 44 with reference to Senate Bill No. 123, known as "Park's Code Bill," and has requested me, as their vice-chairman, to report the same back, with the recommendation that it do not pass.

HEATH, Vice-Chairman.

The report was adopted.

The following Senate resolution was withdrawn from the Committee of Western and Atlantic Railroad, read the second time and recommitted to said committee, to-wit:

By Mr. Townsend—

A resolution providing for the creation of a commission to investigate the subject of the extension of the W & A. R. R. from Atlanta to the sea.

The following Senate bill was withdrawn from the Committee on Constitutional Amendments, read second time and recommitted to said committee, to-wit:

By Mr. Peacock—

A bill to amend Article 3, Section 2, Paragraphs 1 and 2 of the Constitution, so as to increase the number of Senatorial Districts to 51.

Mr. Field, of the 34th District, Chairman of the Committee on General Judiciary No. 1, submitted the following report:

Mr. President:

Your Committee on General Judiciary No. 1 has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend Section 372 of the Penal Code by prescribing a specific penalty for committing the offense of fornication with a female between 14 and 16 years of age.

Respectfully submitted,

FIELD, Chairman.

Mr. Stevens, of the 30th District, Chairman of the Committee on University of Georgia, submitted the following report:

Mr. President:

Your Committee on University of Georgia has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to authorize the Trustees of the University of Georgia to accept the grant of the lands, build-

ings and equipment of Lucy Cobb Institute located in the City of Athens, etc.

Respectfully submitted,

STEVENS, Chairman.

Mr. Weaver, of the 23rd District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr President:

Your Committee on Special Judiciary has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to be entitled an Act to alter, amend and revise the Act which established the City Court of Hinesville, approved August 9th, 1916, and for other purposes.

A bill to be entitled an Act to validate and confirm amendment to charter of the Trustees of Presbyterian Church of City of Savannah, and for other purposes.

A bill to provide for two weeks' term of Superior Court of Taylor County, and for other purposes.

A bill to amend an Act to establish a City Court in the County of Clarke.

A bill to amend an Act to provide for four terms a year of the Superior Court of Dooly County, and for other purposes.

Respectfully submitted,

W F WEAVER, Chairman.

Mr. Weaver, of the 23rd District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr. President:

Your Committee on Special Judiciary has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend an Act establishing the City Court of Americus, so as to provide for abolishing fee system in office of Solicitor of City Court of Americus; to provide for disposition of fines, fees and forfeitures, and to impose certain duties on the Clerk of the City Court of Americus, and for other purposes.

Respectfully submitted,

W F WEAVER, Chairman.

Mr. Weaver, of the 23rd District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr. President:

Your Committee on Special Judiciary has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to be entitled an Act to validate and confirm all the rights and powers given or attempted to be given to the Board of Public Education for the City of Savannah, County of Chatham, and for other purposes.

A bill to be entitled an Act to amend Section 1534 of the present Code of Georgia as amended by the Act approved July 18, 1916, so as to provide that the county tax-receiver of tax returns in counties having not less than eighty thousand and not more than one hundred and twenty-five thousand population shall receive commission from local school tax collected, and for other purposes.

A bill to be entitled an Act to amend the original Act creating the City Court of Valdosta, and for other purposes.

Respectfully submitted,

W F WEAVER, Chairman.

Mr. Kirby, of the 36th District, Chairman of the Committee on Public Roads, submitted the following report:

Mr President:

Your Committee on Public Roads has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

House Bill No. 393, to amend an Act approved July 31, 1915, known as the Tattnall Road Law.

KIRBY, Chairman.

Mr. Peacock, of the 15th District, Vice-Chairman of the Committee on Corporations, submitted the following report:

Mr President:

Your Committee on Corporations has had under consideration the following bills of the House, and

instructed me, as their vice-chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to be entitled an Act to repeal the charter of the City of Demorest and to incorporate the City of Demorest.

A bill to be entitled an Act to incorporate the Town of Abbeville.

A bill to be entitled an Act to amend an Act to incorporate the Town of Molena in Pike County.

A bill to be entitled an Act to amend the charter of Carrollton.

A bill to be entitled an Act to amend an Act incorporating the Town of Trion.

A bill to amend an Act to incorporate the Town of Spread.

A bill to amend charter of LaFayette.

A bill to amend an Act creating a new charter for the Town of Thomson.

A bill to create a new charter for the Town of Arabi.

Respectfully submitted,

ROSCOE PEACOCK, Vice-Chairman.

Mr. Peacock, of the 15th District, Vice-Chairman of the Committee on Corporations, submitted the following report:

Mr President:

Your Committee on Corporations has had under consideration the following bill of the Senate, and instructed me, as their vice-chairman, to report the

same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend an Act incorporating the Town of Toombsboro. Respectfully submitted,

ROSCOE PEACOCK, Vice-Chairman.

Mr. Andrews, of the 35th District, Chairman of the Committee on State of the Republic, submitted the following report:

Mr. President:

Your Committee on State of the Republic has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to prevent the desecration of the flag or National emblem of the United States.

Respectfully submitted,

WALTER P. ANDREWS, Chairman.

Mr. Logan, of the 33rd District, Chairman of the Committee on Public Printing, submitted the following report:

Mr. President:

Your Committee on Public Printing has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Bill No. 152, a bill to regulate competitive bids for State printing.

Respectfully submitted,

J. G. B. LOGAN, Chairman.

Mr. DeJarnette, of the 28th District, Chairman of the Committee on Finance, submitted the following report:

Mr. President:

Your Committee on Finance has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do not pass, to-wit:

A bill to prescribe the manner in which itinerant vendors shall be allowed to carry on business in this State, etc.

Respectfully submitted,

DEJARNETTE, Chairman.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr. President:

Your Committee on Counties and County Matters has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to create a Board of Commissioners of Roads and Revenues for Candler County.

A bill to amend an Act entitled an Act to create a Board of County Commissioners for Wilcox County.

A bill to create a Board of Commissioners of Roads and Revenues for Tift County.

A bill to amend an Act known as "Tattnall Board of Commissioners."

Respectfully submitted,

BECK, Chairman.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr. President:

Your Committee on Counties and County Matters has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do not pass, to-wit:

A bill to abolish the office of County Treasurer of Warren County.

Respectfully submitted,

BECK, Chairman.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr. President:

Your Committee on Counties and County Matters has had under consideration the following resolution of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A resolution to surrender the amendment to the charter of the Valdosta Street Railway Co.

Respectfully submitted,

BECK, Chairman.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr. President:

Your Committee on Counties and County Matters has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, by substitute, to-wit:

A bill to create a Board of Commissioners of Roads and Revenues for Bryan County

Respectfully submitted,

BECK, Chairman.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr. President:

Your Committee on Counties and County Matters has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, as amended, to-wit:

A bill to create the office of Supervisor of Roads and Revenues for the county of Bryan.

Respectfully submitted,

BECK, Chairman.

Mr. Weaver, of the 23rd District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr. President:

Your Committee on Special Judiciary has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Bill No. 149, a bill to establish a City Court in the county of Franklin; to define its jurisdiction, etc., and for other purposes.

Respectfully submitted,

W F WEAVER, Chairman.

Mr. Blackwell, of the 39th District, Chairman of the Committee on Insurance, submitted the following report

Mr. President:

Your Committee on Insurance has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

No. 147, a bill to be entitled an Act to amend an Act approved August 19, 1912, regulating issuance of insurance policies, by providing for what is known as group insurance, and for other purposes.

Respectfully submitted,

F M. BLACKWELL, Chairman.

The following House bill was withdrawn from the Committee on Corporations and read the second time:

By Mr. Stovall—

A bill to amend the charter of the Town of Thomson.

Recommitted to Committee on Corporations.

The following Senate bills were read the first time, to-wit:

By Mr. Bynum—

A bill to provide for judicial cognizance in certain conditions of proceedings, for the condemnation by the State or the United States, for public purposes.

Referred to Committee on State of Republic.

By Mr. Andrews—

A bill to further regulate commerce within the State, to prevent combinations, etc.

Referred to Committee on State of Republic.

By Mr. Heath—

A bill to provide for an additional method of procedure in certain courts.

Referred to Committee on General Judiciary No. 2.

By Mr. Ficklen—

A bill to provide compensation for sheriffs, in arresting criminals.

Referred to Committee on General Judiciary No. 1.

By Mr. Elders—

A bill to create a Bureau of Markets.

Referred to Committee on Agriculture.

By Messrs. Elders, Field and Olive—

A bill to regulate the compensation of sheriffs and their lawful deputies.

Referred to General Judiciary Committee No. 1.

By Mr. Ficklen—

A bill to provide compensation for clerks of Superior Courts where a return of no bill is made.

Referred to Committee on General Judiciary No. 1.

The following Senate bills were taken up for a third reading to be put upon their passage, to-wit:

By Mr. Carswell—

A bill to amend the charter of the Town of Toombsboro.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30; nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Loftin—

A bill to incorporate the Town of South West La-Grange.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 26; nays 0.

The bill having received the requisite constitutional majority was passed.

The following resolutions were read and referred to the Committee on Rules, to-wit:

By Mr. Andrews—

A resolution setting Senate Bill No. 1 as special order for Tuesday morning.

By Mr. Heath—

A resolution to set Senate Bill No. 103 as a special order for Tuesday, August 7, 1917

By Mr. Andrews—

A resolution to set Senate Bill No. 136 as a special order for Tuesday, August 7, 1917

By Mr. Elders—

A resolution to set House Bill No. 6 as special order for Tuesday, August 7, 1917

By Mr. Brown—

A resolution to set Senate Resolution No. 31 as a special order for Wednesday morning.

By Mr. Gilmore—

A resolution to set Senate Bill No. 101 as a special order for August 7, to follow “unanimous consents.”

By Mr. Dickerson—

A resolution to set Senate Bill No. 104 as a special and continuing order for August 8, 1917

By Mr. Weaver—

A resolution to set Senate Bill No. 123, known as Park's Code Bill, as a special order for August 7, 1917

The following Senate bill was taken up for the purpose of acting on amendments of the House, to-wit:

By Mr. Denny—

A bill to amend an Act creating a new charter for the city of Rome.

The amendments of the House were as follows, to-wit:

AMENDMENTS TO SENATE BILL No. 56.

House amends by inserting a new Section in said bill to be numbered Section 48, and by numbering present Section No. 48 Section 49, said new Section to be as follows:

SECTION 48. Be it further enacted by the authority aforesaid, That at the expiration of thirty days from the passage and approval of this Act, the First Commissioner shall call a special election, as a special election is now called and held under the present charter of the City of Rome, for the purpose of submitting to the qualified voters of the City of Rome this Act for ratification or rejection. All qualified voters of said city shall be entitled to vote in this election. Those desiring to ratify this Act and amending the charter of said city shall have written or printed on their ballots, "For Charter Amendments," and those who are against ratifying this Act and are opposed to the amendments herein proposed shall have printed or written on their ballots, "Against Charter Amendments." The laws of the city governing regular elections shall be applicable in this election. The day following said election, between the hours of eleven and twelve o'clock, the commissioners of said city, or a majority of them, shall meet at the city hall, in open session,

and canvass the returns and declare the result. In the event a majority of the voters in said election shall vote "For Charter Amendments," then in that event the provisions of this Act shall become of full force and effect; but on the other hand, in the event a majority of voters in said election vote "Against Charter Amendments," then this Act shall be void and of no force or effect.

House further amends by inserting in the caption of said bill, between the figures "1916" and the word "and" in the seventh line of said caption the following: "To provide for the submission of this Act for ratification or rejection to the qualified voters of the City of Rome at a special election to be held for that purpose."

The amendments of the House were concurred in.

Mr. Hullender, of the 44th District, Vice-Chairman of the Committee on Western and Atlantic Railroad, submitted the following report:

Mr President:

Your Committee on Western and Atlantic Railroad has had under consideration the following resolution of the Senate, and instructed me, as their vice-chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A joint resolution providing for the creation of a special commission to investigate and report to the session of the General Assembly of the State upon the subject of the extension of the Western and At-

lantic Railroad from Atlanta to the sea, ownership by the State of docks, wharves, and other port facilities at St. Marys, and for other purposes.

Respectfully submitted,

HULLENDER, Vice-Chairman.

The following Senate bills were read the second time, to-wit:

By Mr. Stevens—

A bill to authorize the Trustees of the University of Georgia to accept the grant of the lands, buildings, etc., of Lucy Cobb Institute.

By Mr. Wohlwender—

A bill to regulate competitive bids for State printing.

By Mr. Denny—

A bill to amend Section 372 of the Penal Code, by prescribing a special penalty for committing the offense of fornication.

By Mr. Logan—

A bill to establish the City Court of Franklin County.

By Messrs. Andrews and Heath—

A bill to amend an Act approved August 19, 1912, regulating the issuance of insurance policies as to group insurance.

The following House bills and resolutions were read the second time, to-wit:

By Mr. Howard of Liberty—

A bill to amend the Act establishing the City Court of Hinesville.

By Messrs. Lawrence, Wyly and Eve—

A bill to confirm amendment to charter of the Trustees of Presbyterian Church of City of Savannah.

By Messrs. Lawrence, Eve and Wyly—

A bill providing that the county tax-receiver in counties of not less than 80,000 and not more than 125,000 population shall receive commission from local school tax collected.

By Messrs. Lawrence, Eve and Wyly—

A bill to confirm powers given to the Board of Public Education for the City of Savannah.

By Mr. Kimzey of Habersham—

A bill to incorporate the City of Demorest.

By Mr. Harris of Walker—

A bill to amend charter of LaFayette.

By Mr. Foy of Taylor—

A bill to provide for two weeks' term of Superior Court of Taylor County

By Messrs. DuBose and Brown of Clarke—

A bill to provide for a City Court in the County of Clarke.

By Mr. Maynard of Wilcox—

A bill to amend an Act creating a Board of Commissioners for Wilcox County.

By Mr. Maynard of Wilcox—

A bill to amend an Act to re-incorporate the Town of Abbeville.

By Mr. Worsham of Chattooga—

A bill to amend an Act incorporating the Town of Trion.

By Messrs. Jones and Staten of Lowndes—

A bill to amend an Act creating the City Court of Valdosta.

By Mr. Bagwell of Carroll—

A bill to amend the charter of Carrollton.

By Mr. King of Jefferson—

A bill to amend an Act incorporating the Town of Spread.

By Mr. Youmans of Candler—

A bill to create a Board of Commissioners of Roads and Revenues for Candler County.

By Mr. Barrett of Pike—

A bill to amend an Act to incorporate the Town of Molena.

By Mr. Davis of Crisp—

A bill to create a new charter for the Town of Arabi.

By Mr. Cason of Bryan—

A bill to create a Board of Commissioners of Roads and Revenues for Bryan County.

By Mr. Lasseter of Dooly—

A bill to amend an Act providing for holding four terms a year of the Superior Court of Dooly County.

By Mr. Pace of Sumter—

A bill to amend an Act providing for the City Court of Americus.

By Mr. Ellis of Tift—

A bill to create a Board of Commissioners of Roads and Revenues for Tift County.

By Mr. Cason of Bryan—

A bill to create the office of Supervisor of Roads and Revenues for the County of Bryan.

By Messrs. Jones and Staten of Lowndes—

A resolution to surrender the amendment to the charter of the Valdosta Street Railway Co.

The following House bills were read the first time, to-wit:

By Mr. Coates of Pulaski—

A bill to amend the charter of City of Hawkinsville.

Referred to Special Judiciary Committee.

By Mr. Gilmore of Turner—

A bill to amend the charter of the Town of Rebecca.

Referred to Corporations Committee.

By Mr. Ballard of Newton—

A bill to amend an Act creating the office of Commissioner of Roads and Revenues for Newton County.

Referred to Committee on Counties and County Matters.

By Mr. Shannon of Twiggs—

A bill to amend an Act creating a Board of Com-

missioners of Roads and Revenues for County of Twiggs.

Referred to Committee on Counties and County Matters.

By Mr. Stewart—

A bill to amend the charter of City of Douglas.

Referred to Corporations Committee.

By Mr. Duncan of Douglas—

A bill to amend an Act creating the Board of Commissioners of Roads and Revenues for Douglas County.

Referred to Committee on Counties and County Matters.

By Mr. Cravey of Dodge—

A bill to incorporate the Town of Rhine.

Referred to Committee on Corporations.

By Messrs. Morris and Cheney of Cobb—

A bill to create a new charter for the Town of Roswell.

Referred to Committee on Corporations.

By Mr. Winn of Hart—

A bill to abolish the office of Commissioner of Roads and Revenues in Hart County.

Referred to Committee on Counties and County Matters.

By Mr. Ellis of Tift—

A bill to provide a new charter for City of Tifton.

Referred to Special Judiciary Committee.

By Messrs. Woods and Brinson of Emanuel—

A bill to change the terms of the mayor and members of city council of Swainsboro.

Referred to Special Judiciary Committee.

By Messrs. Kelley and Green of Gwinnett—

A bill to establish a system of public schools in the Town of Lawrenceville.

Referred to Committee on Corporations.

By Mr. Scott of Johnson—

A bill to amend the charter of the Town of Adrian.

Referred to Special Judiciary Committee.

By Messrs. Kelley and Green of Gwinnett—

A bill to amend the charter of the City of Buford.

Referred to Special Judiciary Committee.

By Mr. Burt of Dougherty—

A bill to create a new charter for the City of Albany

Referred to Corporations Committee.

By Mr. Strickland of Haralson—

A bill to amend the charter of the Town of Waco.

Referred to Special Judiciary Committee.

By Mr. Clements of Irwin—

A bill to rearrange the Cordele and Tifton Judicial Circuits.

Referred to Special Judiciary Committee.

By Messrs. Morris and Cheney of Cobb—

A bill to repeal the Act authorizing the Board of Lights and Waterworks of Marietta to levy an annual sewer tax.

Referred to Special Judiciary Committee.

By Mr. Bond of Franklin—

A bill to divide the County of Franklin into three commissioners' districts.

Referred to Committee on Counties and County Matters.

By Mr. Lasseter of Dooly—

A bill to consolidate the several Acts incorporating the City of Lilly.

Referred to Committee on Corporations.

By Mr. Cravey of Dodge—

A bill to fix the salary of the Treasurer of Dodge County.

Referred to Committee on Counties and County Matters.

By Mr. Akin of Glynn—

A bill to abolish the office of County Treasurer of Glynn County.

Referred to Committee on Counties and County Matters.

By Mr. Ballard—

A bill to amend the charter of City of Covington.

Referred to Committee on Corporations.

By Messrs. Jones and Arnold of Coweta—

A bill to amend the Acts creating the Board of Commissioners of Roads and Revenues for Coweta County.

Referred to Committee on Counties and County Matters.

By Mr. Ballard of Newton—

A bill to provide for the collection of commutation taxes by militia districts of Newton County.

Referred to Committee on Counties and County Matters.

By Mr. Kimzey of Habersham—

A bill to authorize the Ordinary of Habersham County to use county convicts, tools and mules to repair the streets in towns and cities in said county.

Referred to Penitentiary Committee.

By Mr. Smith of Telfair—

A bill to amend Section 4 of the charter of City of McRae.

Referred to Special Judiciary Committee.

By Mr. Wood—

A bill to amend the charter of the Town of Waleska.

Referred to Committee on Corporations.

By Mr. Harvin of Calhoun—

A bill to amend the charter of the Town of Arlington.

Referred to Committee on Corporations.

By Mr. Pickren of Charlton—

A bill to amend the charter of the Town of Saint George.

Referred to Special Judiciary Committee.

By Mr. Ballard of Newton—

A bill to place the Treasurer of Newton County on a salary.

Referred to Committee on Counties and County Matters.

By Messrs. Atkinson, Smith and White of Fulton—

A bill to amend the charter of the City of Atlanta.

Referred to Corporations Committee.

By Mr. Middleton of Early—

A bill to change the manner in which the Board of Commissioners of Early County shall be elected.

Referred to Counties and County Matters Committee.

Upon motion of Mr. Andrews Senate Bill No. 80 was taken from the table.

The following Senate bill was taken up for a third reading, read the third time and indefinitely postponed, to-wit:

By Mr. Beck—

A bill to establish an Agricultural, Industrial and Normal College as a branch of the University at Spring Place, Ga.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Townsend (by request)—

A bill to regulate the taking of shad from the fresh waters of this State.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 23, and nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was read the third time, to be put upon its passage, to-wit:

By Mr. Davison—

A bill to declare the law of Escheats, when a wife or husband, or adopted child, entitled as an heir, dies intestate, and without ascertainable heirs before receiving possession of the estate.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

The bill was read the third time and upon its passage the ayes were 23, and nays 0.

The bill, having received the requisite constitutional majority, was passed.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:.

By Mr. Denny—

A bill to define and fix the age of consent.

The following amendment was offered by the committee:

Amend Section 1 by striking from the ninth line thereof the word and figures "sixteen (16)" and insert in lieu thereof the word and figures "fourteen (14.)"

Upon the adoption of the amendment the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Edwards, Chas. H.	Loftin, Frank S.
Beck, E. H.	Elders, H. H.	Merry, H. H.
Blackwell, F. M.	Ficklen, Boyce.	Moore, J. B.
Carswell, Geo. H.	Field, Alonzo.	Peacock, D. Roscoe
Davison, James.	Gilmore, George.	Redwine, C. D.
DeJarnette, H. R.	Heath, E. V.	Townsend, S. C.
Denny, R. A.	Hendricks, W. H.	Weaver, W. F.
Dickerson, R. G.	Hullender, W. C.	Yeoman, Sol. J.
Dukes, J. P.	Kirby, J. T.	

Those voting in the negative were Messrs.—

Beauchamp, J. C.	Council, M. B.	Leonard, R.
Brown, T. A.	Hopkins, H. W.	Stevens, C. O.
Bynum, T. L.		

Those not voting were Messrs.—

Dykes, J. R.	Mills, Joe Brown.	Riner, M. T.
Humber, R. T., Jr.	Odom, J. C.	Wohlwender, Ed.
Logan, J. B. G.	Price, H. H.	

Ayes 26, nays 7

The amendment was adopted.

The following committee amendments were read and adopted, to-wit:

Amend Section 2 by striking from the fifth line thereof the words "a felony" and insert in lieu thereof the word "rape."

Further amend Section 2, by striking from the

sixth, seventh and eighth lines thereof the words “by confinement in the penitentiary for not less than one nor more than two years,” and insert in lieu thereof the words “as prescribed by Section 94 of the Penal Code of Georgia of 1910.”

Mr. Field offered the following amendment which was adopted, to-wit:

Amend by adding at the end of amendment to Section 2 of bill the following:

“Unless the jury should recommend that the defendant be punished as for a misdemeanor in which event the same shall be made the judgment and sentence of the court.”

The report of the committee, which was favorable to the passage of the bill, as amended, was agreed to as amended.

The bill was read the third time and upon its passage as amended, the ayes were 29, and nays 0.

The bill having received the requisite constitutional majority was passed, as amended.

Upon motion, Senate Bills Nos. 75 and 139 were ordered immediately transmitted to the House.

One hundred copies of House Bill No. 6, known as the “Neill Bill,” were ordered printed for the use of the Senate.

The hour of one o’clock P. M. having arrived, the Senate adjourned until tomorrow morning at 10 o’clock.

SENATE CHAMBER, ATLANTA, GA.

Tuesday, August 7, 1917.

The Senate met pursuant to adjournment at 10 o'clock A. M. and was called to order by the President.

Prayer was offered by the Chaplain.

By unanimous consent the call of the roll was dispensed with.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has passed by the requisite constitutional majority the following bills and resolution of the House, to-wit:

A bill to amend an Act establishing City Court of Dawson.

A bill to amend an Act establishing a system of public schools for the Town of Abbeville.

A bill to abolish City Court of Franklin County.

A bill to establish City Court in County of Franklin.

A bill to establish a system of public schools for the Town of Braselton.

A bill to amend an Act establishing a system of public schools for the City of Vidalia.

A resolution authorizing State Librarian to furnish certain books to officials of Echols County

Mr. Peacock, of the 15th District, Vice-Chairman of the Committee on Constitutional Amendments, submitted the following report.

Mr President:

Your Committee on Constitutional Amendments has had under consideration the following bill of the Senate, and instructed me, as their vice-chairman, to report the same back to the Senate, with the recommendation that the same do pass, by substitute, to-wit.

Bill No. 19 to amend Constitution providing for a State-wide school tax.

Respectfully submitted,

PEACOCK, Vice-Chairman.

Mr. Loftin, of the 37th District, Chairman of the Committee on Pensions, submitted the following report:

Mr President:

Your Committee on Pensions has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, as amended, to-wit:

House Bill No. 9, relative to payment of pensions to Confederate soldiers.

Respectfully submitted,

FRANK S. LOFTIN, Chairman.

Mr. Peacock, of the 15th District, Vice-Chairman of the Committee on Corporations, submitted the following report:

Mr President:

Your Committee on Corporations has had under consideration the following bill of the Senate, and instructed me, as their vice-chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend an Act incorporating the Town of Maxeys.

Your committee has also had under consideration the following bills of the House, and instructed me, as their vice-chairman, to report the same back to the Senate, with the recommendation that said bills do pass, to-wit:

A bill to amend the charter of the Town of Temple.

A bill to amend the charter of the Town of Temple.

A bill to incorporate the City of Clarkesville.

Respectfully submitted,

PEACOCK, Vice-Chairman.

Mr. Peacock, of the 15th District, Vice-Chairman of the Committee on Corporations, submitted the following report

Mr President:

Your Committee on Corporations has had under consideration the following bills of the House, and instructed me, as their vice-chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

House Bill No. 225, to amend the charter of City of Atlanta.

House Bill No. 446, to amend the charter of Waleska in the County of Cherokee.

House Bill No. 508, new charter for the Town of Arlington in Counties of Calhoun and Early.

House Bill No. 443, to amend, consolidate and supersede the Act incorporating the City of Lilly in the County of Dooly.

House Bill No. 349, to amend charter of City of Douglas.

House Bill No. 427, to amend Act incorporating Town of Rebecca in Turner County.

House Bill No. 424, to create and establish a new charter for Albany.

House Bill No. 425, create and establish a charter for Town of Roswell.

House Bill No. 479, to incorporate the Town of Rhine in Dodge County

PEACOCK, Vice-Chairman.

Mr. Peacock, of the 15th District, Vice-Chairman of the Committee on Corporations, submitted the following report:

Mr President:

Your Committee on Corporations has had under consideration the following bill of the House, and instructed me, as their vice-chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to provide a new charter for the Town of Thomson, and for other purposes.

PEACOCK, Vice-Chairman.

Mr. Stevens, of the 30th District, Chairman of the Committee on University of Georgia, submitted the following report:

Mr. President:

Your Committee on University of Georgia has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to provide for the sale without the limits of the State of certain classes of domestic wines, by executors or administrators.

Respectfully submitted,

STEVENS, Chairman.

Mr. Dickerson, of the 5th District, Chairman of the Committee on General Judiciary No. 2, submitted the following report:

Mr. President:

Your Committee on General Judiciary No. 2 has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to prohibit the running at large of any bull or boar over four (4) months old in the county of Toombs.

Respectfully submitted,

DICKERSON, Chairman.

Mr. Dickerson, of the 5th District, Chairman of the Committee on General Judiciary No. 2, submitted the following report:

Mr President:

Your Committee on General Judiciary No. 2 has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, as amended, to-wit:

A bill to provide for and regulate the operation of pilot boats, by licensed pilots at the several ports of this State, and for other purposes.

Respectfully submitted,

DICKERSON, Chairman.

Mr. Dickerson, of the 5th District, Chairman of the Committee on General Judiciary No. 2, submitted the following report:

Mr President:

Your Committee on General Judiciary No. 2 has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to provide for the appointment of a deputy clerk of the Court of Appeals, and for other purposes.

Respectfully submitted,

R. G. DICKERSON, Chairman.

Mr. Andrews, of the 35th District, Chairman of the Committee on State of the Republic, submitted the following report:

Mr President:

Your Committee on State of the Republic has had

under consideration the following bills of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to provide for the judicial cognizance of proceedings for the condemnation of private property.

A bill to regulate commerce in this State.

A bill to amend Section one of an Act approved December 18, 1901, giving consent to the United States to take over such lands as may be needed for establishing a Forest Reserve.

Respectfully submitted,

WALTER P. ANDREWS, Chairman,
Committee on State of Republic.

Mr. Dickerson, of the 5th District, Chairman of the Committee on General Judiciary No. 2, submitted the following report:

Mr. President:

Your Committee on General Judiciary No. 2 has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, as amended, to-wit:

A bill to provide for the registration of land titles, and for other purposes.

DICKERSON, Chairman.

Mr. Hullender, of the 44th District, Chairman of the Committee on Enrollment, submitted the following report:

Mr President:

Your Committee on Enrollment report as duly enrolled and ready for the signature of the President of the Senate and Speaker of the House, the following Acts, to-wit:

An Act to provide for two weeks' term of Superior Court of Taylor County, and to change the time of holding the Superior Court in Talbot and Chattahoochee Counties.

An Act to enlarge the city limits of the City of Rockmart.

An Act to amend the charter of the Town of Leslie.

An Act to amend the charter of the Town of Stone Mountain.

An Act to create a Board of Commissioners of Roads and Revenues for the County of Baker.

An Act to abolish the Board of Commissioners of Roads and Revenues for the county of Baker.

Respectfully submitted,

W. C. HULLENDER, Chairman.

Mr. Hullender, of the 44th District, Chairman of the Committee on Enrollment, submitted the following report:

Mr. President:

Your Committee on Enrollment report as duly signed by the President of the Senate and Speaker of the House, and delivered to the Governor, the following Acts, to-wit:

An Act to provide for two weeks' term of Superior Court of Taylor County, and to change the time

of holding the Superior Court in Talbot and Chattahoochee Counties.

An Act to enlarge the city limits of the City of Rockmart.

An Act to amend the charter of the Town of Leslie.

An Act to amend the charter of the Town of Stone Mountain.

An Act to create a Board of Commissioners of Roads and Revenues for the County of Baker.

An Act to abolish the Board of Commissioners of Roads and Revenues for the county of Baker.

Respectfully submitted,

W C. HULLENDER, Chairman.

Mr. Heath, of the 17th District, Vice-Chairman of the Committee on Rules, submitted the following report:

Mr. President:

Your Committee on Rules has had under consideration the following resolutions of the Senate, and instructed me, as their vice-chairman, to report the same back to the Senate, with the recommendation that the bills be set as special and continuing orders for to-day as below stated, to-wit:

A resolution setting Senate Bill No. 101 with reference to grading cottonseed.

A resolution setting Bill No. 126, known as Court Procedure Bill.

A resolution setting House Bill No. 6, known as the Neill Primary Bill.

A resolution setting Senate Bill No. 1, known as Emigrant Agent Bill.

A resolution setting Senate Bill No. 136, Barber's Bill.

A resolution setting Senate Resolution No. 31, Copper Company Resolution. That this resolution be set as a special order for Wednesday.

Also recommend that Resolution No. 48, fixing Senate Bill No. 104 as special order, providing for fixing of minimum rates by Railroad Commission, do not pass.

Respectfully submitted,

HEATH, Vice-Chairman.

The report was adopted.

The following resolution was read and adopted, to-wit:

By Mr. Beauchamp—

A resolution authorizing the Committee on Academy for the Blind to visit the Academy for the Blind during the vacation of the General Assembly.

The following Senate bills were withdrawn from the committees, read the second time and recommitted, to-wit:

By Mr. Andrews—

A bill to further regulate commerce, prevent combinations, etc.

Recommitted to Committee on State of Republic.

By Mr. Elders—

A bill to create a Bureau of Markets.

Recommitted to Committee on Agriculture.

By Messrs. Elders and others—

A bill to regulate compensation of sheriffs and their lawful deputies.

Recommitted to Committee on General Judiciary No. 1.

By Mr. Merry (by request)—

A bill to confer upon banking companies the rights and powers of trust companies.

Recommitted to Committee on Banks and Banking.

The following House bill was read the second time and recommitted, to-wit:

By Messrs. Kelley and Green of Gwinnett—

A bill to amend an Act to establish a system of public schools in the Town of Lawrenceville.

Recommitted to Corporations Committee.

The following House bills were read the second time, to-wit:

By Messrs. Beck and Bagwell of Carroll—

A bill to amend the charter of the Town of Temple.

By Messrs. Beck and Bagwell—

A bill to amend the charter of the Town of Temple.

The following House bills and House resolutions were taken up for a third reading, to be put upon their passage, to-wit:

By Mr. Stovall—

A bill to amend the charter of the Town of Thomson.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 36; nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. DuBose and Brown of Clarke—

A bill to amend an Act to establish a City Court in the County of Clarke.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Foy of Taylor—

A bill to provide for two weeks' term of Superior Court of Taylor County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Jones and Staten of Lowndes—

A resolution to surrender the amendment to the charter of the Valdosta Street Railway Co.

The report of the committee, which was favorable to the passage of the resolution was agreed to.

On the passage of the resolution the ayes were 30, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Worsham of Chattooga—

A bill to amend the charter of the Town of Trion.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30; nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Pace of Sumter—

A bill to amend an Act establishing the City Court of Americus.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30; nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Youmans of Candler—

A bill to create a Board of Commissioners of Roads and Revenues for Candler County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30; nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Harris of Walker—

A bill to amend the charter of the Town of Lafayette.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30; nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Burkhalter of Tattnall—

A bill to amend an Act approved July 31, 1915, known as the Tattnall Road Law.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30; nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Ellis of Tift—

A bill to create a Board of Commissioners of Roads and Revenues for the County of Tift.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Dorris of Crisp—

A bill to create a new charter for the Town of Arabi.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30; nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Howard of Liberty—

A bill to amend the Act creating the City Court of Hinesville.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30; nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Bagwell of Carroll—

A bill to amend the charter of the City of Carrollton.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30; nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Lawrence, Eve and Wylly—

A bill to validate all rights and powers given or attempted to be given the Board of Public Education of the City of Savannah.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30; nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Lawrence, Eve and Wylly—

A bill to amend Section 1534 of present Code of Georgia so as to provide that tax-receivers, in counties of not less than 80,000 nor more than 125,000 population shall receive commissions from local school tax collected.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30; nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. King of Jefferson—

A bill to amend the charter of the Town of Spread.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30; nays 0.

The bill having received the requisite constitutional majority was passed.

Mr. Barrett of Pike—

A bill to amend the charter of the Town of Molena.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30; nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Maynard of Wilcox—

A bill to amend an Act creating the Board of Commissioners of Roads and Revenues for Wilcox County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30; nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Kimzey of Habersham—

A resolution accepting the surrender of the charter of the Clarkesville Street Railway Co.

The report of the committee, which was favorable to the passage of the resolution, was agreed to.

On the passage of the resolution the ayes were 30, nays 0.

The resolution having received the requisite constitution majority was passed.

By Messrs. Jones and Staten—

A bill to amend the original Act creating the City Court of Valdosta.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30; nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Lasseter of Dooly—

A bill to provide for four terms a year of Superior Court of Dooly County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30; nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Kimzey of Habersham—

A bill to incorporate the city of Demorest.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30; nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Maynard of Wilcox—

A bill to reincorporate the Town of Abbeville.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30; nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Burkhalter of Tattnall—

A bill to amend an Act approved July 31, 1915, known as Tattnall Board of Commissioners Act.

The following amendment was offered and adopted, to-wit:

By Mr. Elders—

Amend by adding after the word “duties” in line seven of last page of House bill, the following words:

“And it shall be the duty of said clerk of said county commissioners to purchase for all county officers of said county such furniture, fixtures and

supplies as they may need, and the necessity for the same to be determined by the respective county officers.”

The report of the committee, which was favorable to the passage of the bill, was agreed to, as amended.

Upon the passage of the bill as amended the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed, as amended.

By Messrs. Lawrence, Wylly and Eve—

A bill to validate and confirm an amendment to the charter of the Trustees of Presbyterian Church of City of Savannah.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30; nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bills and House resolution were read the first time, to-wit

By Mr. Lankford of Toombs—

A bill to amend an Act to establish a system of public schools for the City of Vidalia.

Referred to Committee on Education.

By Mr. Bond of Franklin—

A bill to establish a City Court in the County of Franklin.

Referred to Committee on Special Judiciary.

By Mr. Maynard of Wilcox—

A bill to amend an Act establishing a system of public schools for the Town of Abbeville.

Referred to Education Committee.

By Messrs. Ayers and Holder of Jackson—

A bill to establish a system of public schools in Town of Braselton.

Referred to Education Committee.

By Mr. Roberts of Echols—

A resolution authorizing the State Librarian to finish certain books to the officials of Echols County.

Referred to Committee on Public Library.

By Mr. Bond of Franklin—

A bill to abolish the City Court of Franklin County.

Referred to Special Judiciary Committee.

By Mr. Pickett of Terrell—

A bill to amend an Act establishing the City Court of Dawson.

Referred to Special Judiciary Committee.

The following House bills were read the second time, to-wit:

By Mr. Kimzey of Habersham—

A bill to repeal an Act to incorporate the City of Clarkesville, and to re-incorporate the City of Clarkesville in the County of Habersham, and for other purposes.

By Mr. Lankford of Toombs—

A bill to prohibit the running at large of any bull or boar over four (4) months old in the County of Toombs.

By Mr. Wright of Floyd—

A bill to declare houses of lewdness, prostitution and assignation, nuisances and for other purposes.

By Mr. McCall of Brooks—

A bill to amend the Constitution of this State relative to paying pension to Confederate veterans and their widows.

By Messrs. Morris and Cheney of Cobb—

A bill to create a new charter for the Town of Roswell in Cobb County.

By Messrs. Atkinson, Smith and White of Fulton—

A bill to amend the charter of the City of Atlanta authorizing the pavement of its streets.

By Mr. Gilmore of Turner—

A bill to amend an Act incorporating the Town of Rebecca, Turner County, Ga., providing public schools for the same, for the government thereof, and for other purposes.

By Mr. Harvin of Calhoun County—

A bill to amend Section 2 of an Act of the General Assembly of Georgia approved August 1st, 1911, entitled "An Act to amend an act to provide a new charter incorporating the Town of Arlington in the Counties of Calhoun and Early."

By Mr. Lasseter of Dooly County—

A bill to amend "An Act to amend, consolidate

and supersede the Act incorporating the City of Lilly in the County of Dooly, State of Georgia, and for other purposes.”

By Mr. Stewart of Coffee County—

A bill to amend the charter of Douglas, Coffee County, Ga., etc.

By Mr. Wood of Cherokee County—

A bill to amend the charter of the Town of Waleska, Cherokee County.

By Mr. Burt of Dougherty—

A bill to create and establish a new charter for the City of Albany

By Mr. Cravey of Dodge—

A bill to incorporate the Town of Rhine in Dodge County.

The following resolutions were read and referred to the Rules Committee, to-wit:

By Mr. Weaver—

A resolution to make Senate Bill No. 123 a special order for August 8, 1917.

By Mr. Davison—

A resolution to set House Bill No. 63 as a special order for August 9, 1917.

By Mr. Beck—

A resolution setting Senate Bill No. 113 as a special and continuing order for August 8, 1917

The following Senate Bill was recommitted to Committee on Commerce and Labor, to-wit:

By Messrs. Price and Andrews—

A bill to provide for examination and licensing of persons engaged in business of plumbing.

The following Senate Bill was taken up for a third reading, to be put upon its passage, to-wit:

By Mr. Mundy—

A bill to amend the Act creating a system of of parole or conditional pardon.

Mr. Carswell offered the following amendment which was adopted, to-wit:

Amend Section 1 by adding after the word “act” and before the word “creating” the following: “Approved by the General Assembly of Georgia, September 19, 1908.”

The report of the committee, which was favorable to the passage of the bill, was agreed to, as amended.

The bill was read the third time and upon its passage as amended the ayes were 25, and nays 0.

The bill having received the requisite constitutional majority was passed, as amended.

The following Senate Bill which was a special order was taken up for a third reading, to be put upon its passage, to-wit:

By Mr. Gilmore (by request)—

A bill to provide for the grading, classification and branding, according to grade, of cotton seed meal.

Mr. Hopkins offered the following amendment, to-wit:

Amend Section 2 by adding at end thereof: "Provided, further, that the percentage of nitrogen shall be printed upon each package immediately following each grade designated."

Upon the adoption of the amendment the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Field, Alonzo.	Merry, H. H.
Beauchamp, J. C.	Gilmore, George.	Moore, J. B.
Carswell, Geo. H.	Heath, E. V.	Odom, J. C.
Council, M. B.	Hendricks, W. H.	Price, H. H.
Davison, James.	Hopkins, H. W.	Redwine, C. D.
DeJarnette, H. R.	Hullender, W. C.	Riner, M. T.
Dickerson, R. G.	Humber, R. T., Jr.	Stevens, C. O.
Dukes, J. P.	Kirby, J. T.	Townsend, S. C.
Dykes, J. R.	Leonard, R.	Weaver, W. F.
Edwards, Chas. H.	Lofstin, Frank S.	Wohlwender, Ed.
Elders, H. H.	Logan, J. B. G.	Yeoman, Sol. J.
Ficklen, Boyce.		

Those voting in the negative were Messrs.—

Brown, T. A.	Denny, R. A.	Mills, Joe Brown.
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Those not voting were Messrs.—

Beck, E. H.	Bynum, T. L.	Peacock, D. Roscoe.
Blackwell, F. M.		

Ayes 34, nays 3.

The amendment was adopted.

The following amendments were read and adopted, to-wit:

By Messrs. Brown and Bynum—

Amend Senate Bill No. 101, as follows:

By striking therefrom, wherever it occurs, the word "choice" and inserting in lieu thereof the words, to-wit: "First grade."

By striking therefrom the word "prime," wherever it occurs, and inserting in lieu thereof the words, to-wit: "Second grade."

By striking therefrom the word "good," wherever it occurs and inserting in lieu thereof the words, to-wit: "Third grade."

By striking therefrom the word "ordinary," wherever it occurs, and inserting in lieu thereof the words, to-wit: "Fourth grade."

By striking therefrom the word "fair," wherever it occurs, and inserting in lieu thereof the words, to-wit: "Fifth grade."

The report of the committee, which was favorable to the passage of the bill, was agreed to, as amended. The bill was read the third time.

Upon the passage of the bill as amended the ayes were 24, and nays 0.

The bill having received the requisite constitutional majority was passed, as amended.

The bill was ordered immediately transmitted to the House.

The following Senate Bill, which was a special order, was taken up for a third reading to be put upon its passage, to-wit:

By Messrs. Heath and Elders—

A bill to regulate the practice in carrying certain

classes of cases to the Supreme Court and Court of Appeals.

Upon motion of Mr. Wohlwender the bill was indefinitely postponed.

The following House bill, which was a special order, was taken up for a third reading to be put upon its passage, to-wit:

By Messrs. Neill of Muscogee and Walker of Ben Hill—

A bill to provide for nominations by political parties in this State of candidates for United States Senator, Governor, State House Officers, Justices of the Supreme Court and Judges of the Court of Appeals, at primary elections, by the county unit system.

Mr. Brown offered the following substitute to the bill, to-wit:

A bill to provide for nominations by political parties in this State for United States Senator, Governor, State House Officers, Justices of the Supreme Court and Judges of the Court of Appeals, at primary elections.

The hour of 1 o'clock P. M. having arrived the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.,

Wednesday, August 8, 1917.

The Senate met pursuant to adjournment at 10 o'clock A. M. and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names, to-wit:

Andrews, W. P.	Edwards, Chas. H.	Merry, H. H.
Beauchamp, J. C.	Elders, H. H.	Mills, Joe Brown.
Beck, E. H.	Ficklen, Boyce.	Moore, J. B.
Blackwell, F. M.	Field, Alonzo.	Odom, J. C.
Brown, T. A.	Gilmore, George.	Peacock, D. Roscoe.
Bynum, T. L.	Heath, E. V.	Price, H. H.
Carswell, Geo. H.	Headricks, W. H.	Redwine, C. D.
Council, M. B.	Hopkins, H. W.	Riner, M. T.
Davison, James.	Hullender, W. C.	Stevens, C. O.
DeJarnette, H. R.	Humber, R. T., Jr.	Townsend, S. C.
Denny, R. A.	Kirby, J. T.	Weaver, W. F.
Dickerson, R. G.	Leonard, R.	Wohlwender, Ed.
Dukes, J. P.	Loftin, Frank S.	Yeoman, Sol. J.
Dykes, J. R.	Logan, J. B. G.	Mr. President.

Mr. Olive gave notice that at the proper time he would move to reconsider House Bill No. 345.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Olive moved to reconsider the action of the Senate on yesterday, upon the passage of the following bill of the House, to-wit:

By Mr. King of Jefferson—

A bill to amend the charter of the Town of Spread.

The motion prevailed and the bill was reconsidered.

Mr. Hopkins of the 7th arose to a question of personal privilege. He said:

“Mr. President:—

“I arise to a question of personal privilege and I invoke the attention of the Senate for a few moments.

“In the Atlanta Journal of the 7th in its report of legislative proceedings I find the following:

“ ‘The Temperance Committee of the Senate Monday afternoon reported favorably the bill providing for the appointment of a commission to sell, outside the State, the 20,000 gallons of wine which the late Judson L. Hand, of Pelham, Ga., left in his estate for a bequest to the University of Georgia.’

“Mr. President and gentlemen of the Senate, in my legislative experience it has been my misfortune to be a member of quite a number of temperance committees, none of which were in fact and in truth temperance committees before which a real temperance measure stood any chance of favorable consideration. As a member of this Senate, I am proud to say that I am a member of a temperance committee that is in fact, and in truth, a temperance committee. The matter referred to by the paper from which I have quoted placed that temperance committee in a light against which, to me at least as a member of that committee, and speaking for

myself, I must enter my solemn protest, not only as a member of that committee, but as a prohibitionist, and viewing prohibition from the standpoint from which I have always regarded it.

“Two bills by the Senator on my right, Mr. Wohlwender, were introduced touching this subject. Both of these bills were referred, and I think very properly, to the temperance committee of this Senate. This bill, No. 156, by Mr. Olive of the 18th, referring to the same subject was referred to the Committee of the University of Georgia.

“I arise simply to speak for myself, and I hope for the committee over which the President of the Senate has done me the honor to allow me to preside, to say that that bill was never referred to the temperance committee of the Senate, but to the committee to which I have referred, the University of Georgia. As this bill will come before this body for consideration I shall not under the question of personal privilege discuss it, but when it does come before the Senate I assure the Senate I shall have much to say in opposition to its enactment into law.”

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to-wit:

A bill to repeal an Act to incorporate the Town of Oak Park.

A bill to amend Act creating charter of the Town of Arlington.

A bill to amend an Act establishing City Court of Valdosta.

A bill to modify the procedure in the City Court of Blakely.

A bill to provide for the appointment of Bond Commissioners for the Town of Adel.

A bill to regulate the sale of seed cotton in Elbert County.

A bill to amend an Act creating Board of County Commissioners of Jasper County.

A bill to amend Act incorporating the City of Lafayette.

A bill to provide for two terms of Superior Court of Bacon County.

A bill to amend an Act creating a Board of Commissioners of Roads and Revenues of Thomas County.

A bill to amend an Act creating a new charter for the Town of Gibson.

A bill to amend Act creating charter for the Town of Kirkwood.

A bill to authorize the Ordinary of Bacon County to collect a special road tax.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has passed by the requisite constitutional majority the following bill and resolution of the House, to-wit:

A bill to repeal certain Sections of the Code and to levy and collect a tax for support of the State Government.

A resolution to allow the Covington Street Railway Company to surrender its charter.

Mr. Weaver, of the 23rd District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr President:

Your Committee on Special Judiciary has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to establish a City Court in the County of Franklin, and for other purposes.

A bill to amend an Act creating the Tifton Judicial Circuit, so as to provide for holding two terms a year of Superior Court in Tift County.

A bill to amend an Act to provide a new charter for the City of Tifton approved August 16, 1915.

A bill to extend the time one week each term of the Bleckley County Superior Court.

A bill to abolish the City Court of Franklin County.

A bill to establish a City Court in County of Franklin.

A bill to amend an Act establishing the City Court of Dawson.

A bill to amend the Act incorporating the Town of Waco.

A bill to amend the charter of the Town of Saint George.

A bill to amend the charter of the City of Buford.

A bill to amend the charter of the Town of Adrian.

A bill to re-arrange the Cordele and the Tifton Judicial Circuits.

A bill to repeal the Act authorizing the Board of Lights and Waterworks of Marietta to levy an annual sewer tax.

A bill to amend the charter of the City of Hawkinsville.

A bill to amend the charter of the City of McRae.

A bill to amend an Act establishing the City Court of Dublin.

Respectfully submitted,

W F WEAVER, Chairman.

Mr. Wohlwender, of the 24th District, Chairman of the Committee on Constitutional Amendments, submitted the following report:

Mr President:

Your Committee on Constitutional Amendments has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend Article 3, Section 2, Paragraphs 1 and 2 of the Constitution of the State so as to increase the number of Senators and Senatorial Districts.

Respectfully submitted,

ED. WOHLWENDER, Chairman.

Mr. Peacock, of the 15th District, Vice-Chairman of the Committee on Corporations, submitted the following report:

Mr President:

Your Committee on Corporations has had under consideration the following bill of the House, and instructed me, as their vice-chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to establish a system of public schools in the Town of Lawrenceville, Ga., and for other purposes.

PEACOCK, Vice-Chairman.

Mr. Elders, of the 2nd District, chairman of the Committee on Education, submitted the following report:

Mr President:

Your Committee on Education has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

An Act to amend the local school district law, and for other purposes.

Respectfully submitted,

H. H. ELDERS, Chairman.

Mr. Elders, of the 2nd District, chairman of the Committee on Education, submitted the following report:

Mr President:

Your Committee on Education has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

House Bill No. 158, to amend an Act to establish a system of public schools in the City of Newnan.

Also House Bill No. 166, to amend an Act to provide for a system of public schools in the County of Jefferson.

H. H. ELDERS, Chairman.

Mr. Council, of the 13th District, chairman of the Committee on Game and Fish, submitted the following report:

Mr. President:

Your Committee on Game and Fish has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

House Bill No. 481, an Act to prohibit the removal of fish by transportation, shipping or otherwise, from any of the streams, lakes, ponds, or other body or bodies of water containing fish within the boundaries of Charlton County, etc.

M. B. COUNCIL, Chairman.

Mr. Peacock, of the 15th District, vice-chairman of the Committee on Corporations, submitted the following report

Mr. President:

Your Committee on Corporations has had under consideration the following bill of the House, and instructed me, as their vice-chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to be entitled an Act to amend the charter of Covington.

Respectfully submitted,
PEACOCK, Vice-Chairman.

Mr. Brown, of the 41st District, acting chairman of the Committee on General Judiciary No. 1, submitted the following report:

Mr. President:

Your Committee on General Judiciary No. 1 has had under consideration the following bill of the Senate, and instructed me, as their acting chairman, to report the same back to the Senate, with the recommendation that the same do pass by substitute, to-wit:

A bill to regulate the compensation of the sheriffs of this State and their lawful deputies.

Respectfully submitted,
T. A. BROWN, Acting Chairman.

Mr. Beck, of the 43rd District, chairman of the Committee on Counties and County Matters, submitted the following report:

Mr. President:

Your Committee on Counties and County Matters has had under consideration the following bills of

the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, as amended, to-wit:

A bill to amend an Act creating the Board of County Commissioners of Roads and Revenues of Douglas County

A bill to abolish the office of Commissioner of Roads and Bridges in Hart County and to make the Board of Finance elective by the people.

A bill to fix the salary of the Treasurer of Dodge County.

Respectfully submitted,

BECK, Chairman.

Mr. Beck, of the 43rd District, chairman of the Committee on Counties and County Matters, submitted the following report:

Mr President:

Your Committee on Counties and County Matters has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to divide the County of Franklin into three Commissioners' Districts.

A bill to change the manner in which the Board of Commissioners of Early County shall be elected.

A bill to amend an Act of the Legislature, approved August 17, 1911, creating a Board of Commissioners of Roads and Revenues for the County of Laurens.

A bill to provide for the collection of commutation taxes by militia districts of Newton County.

A bill to amend an Act creating a Board of Commissioners of Roads and Revenues in the County of Coweta.

A bill to abolish the office of County Treasurer of Glynn County.

Respectfully submitted,
BECK, Chairman.

Mr. Leonard, of the 25th District, chairman of the Committee on Public Library, submitted the following report:

Mr President:

Your Committee on Public Library has had under consideration the following resolution of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A resolution authorizing the State Librarian to furnish certain books to the officials of Echols County.

Respectfully submitted,
R. LEONARD, Chairman.

The following Senate bill was read the first time, to-wit:

By Mr. Andrews—

A bill to amend an Act approved August 20, 1906, establishing a Board of Lights and Waterworks for the City of Marietta.

Referred to Committee on Corporations.

By Mr. Logan—

A bill to authorize the County of Banks to construct bridges, piers, &c., on public highways of said county, by convict labor.

Referred to Corporations Committee.

The following resolution was read and adopted, to-wit:

By Mr. Beck—

A resolution to recall Senate Bill No. 58 now in the hands of the Governor, for the purpose of correcting an error and for purpose of amending said bill.

The following House bills were taken up for a third reading, to be put upon their passage, to-wit:

By Messrs. Beck and Bagwell of Carroll—

A bill to amend the charter of the Town of Temple.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Beck and Bagwell—

A bill to amend the charter of the Town of Temple.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Morris and Cheney of Cobb (by request)—

A bill to create a new charter for the Town of Roswell.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Wood of Cherokee—

A bill to amend the charter of the Town of Waleska.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Atkinson, Smith and White of Fulton—

A bill to amend the charter of the City of Atlanta.

Mr. Andrews offered the following amendment to the bill, which was adopted, to-wit:

An amendment to an Act establishing a new charter for the City of Atlanta, approved February 28, 1874, and for other purposes.

Be it enacted by the General Assembly of Georgia, and it is hereby enacted by the authority of the same that the name and officer of clerk of council in Sections 117 and 502 of the city charter as published in the City Code of Atlanta in 1910 be stricken and that the section of the city charter codified in Section 449 of the City Code of Atlanta be also amended by striking therefrom the words: "There shall be elected by the people at the same time other city officers are elected a clerk of council who shall hold office for a term of two years as provided in Section 1 of the City Code of 1910 unless removed for cause to be adjudged of by the Mayor and General Council" and inserting in lieu thereof the following:

SECTION 449. There shall be elected by the Mayor and General Council biennially at the first regular meeting in June a clerk of council whose term of office shall begin on the first Monday in January following and who shall be elected to serve for a term of two years unless removed for cause to be adjudged by the Mayor and General Council.

The report of the committee, which was favorable to the passage of the bill, was agreed to, as amended.

Upon the passage of the bill as amended, the ayes were 30 and nays 0.

The bill having received the requisite constitutional majority was passed, as amended.

The following House bills were read the second time, to-wit:

By Mr. Middleton of Early—

A bill to change the manner in which the Board of Commissioners of Early County shall be elected.

By Messrs. Kelley and Green of Gwinnett—

A bill to amend the charter of the City of Buford.

By Messrs. Arnold and Jones of Coweta—

A bill to amend an Act to establish a system of public schools in the City of Newnan.

The following Senate bill, which was a special order, was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Beck (by request)—

A bill to amend Paragraph 2, Section 1, Article 11 of the Constitution of this State, so as to create the new County of Cook.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

The bill was read the third time and upon the passage of the bill, this being a constitutional amendment, the ayes and nays were ordered, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Council, M. B.	Dykes, J. R.
Beck, E. H.	Davison, James.	Edwards, Chas. H.
Blackwell, F. M.	DeJarnette, H. R.	Eickers, H. H.
Brown, T. A.	Denny, R. A.	Ficklen, Boyce.
Bynum, T. L.	Dickerson, R. G.	Field, Alonzo.
Carswell, Geo. H.	Dukes, J. P.	Gilmore, George.

Hendricks, W. H.	Logan, J. B. G.	Stevens, C. O.
Hullender, W. C.	Merry, H. H.	Townsend, S. C.
Humber, R. G., Jr.	Odom, J. C.	Weaver, W. F.
Kirby, J. T.	Peacock, D. Roscoe.	Wohlwender, Ed.
I oftin, Frank S.	Price, H. H.	Yeoman, Sol. J.

Those voting in the negative were Messrs.—

Beauchamp, J. C.	Leonard, R.	Moore, J. B.
Heath, E. V.	Mills, Joe Brown.	Riner, M. T.
flopkins, H. W.		

Those not voting were Messrs.—

Redwine, C. D.

Ayes 33, nays 7

The bill having received the requisite constitutional majority was passed, and the bill is as follows, to-wit:

A BILL

To be entitled an Act to amend Paragraph two (2), Section one (1), Article eleven (11) of the Constitution of this State.

The following amendment is proposed by the Senate and House of Representatives of Georgia to Paragraph 2, Section 1, Article 11, of the Constitution of this State:

SECTION 1. The General Assembly of the State of Georgia hereby proposes to the people of Georgia an amendment to Paragraph 2, Section 1, Article 11, of the Constitution of this State as follows: That in addition to the counties heretofore existing in this State, created by the General Assembly and those created by amendments to the above and foregoing paragraph, section and article of the Consti-

tution of this State, there is hereby created an additional county, which county when created shall be known as Cook County. The territory for the formation of said County of Cook shall be taken from the County of Berrien, and the territory so taken for the formation of said new County of Cook shall be included within the following described boundaries, to-wit:

Starting at a point where the Willacoochee River crosses the county line between the Counties of Berrien and Lowndes; thence running a northerly direction along the run of said Willacoochee River to where said River intersects with New River; thence taking a northwesterly direction up and along the run of said New River to where said New River crosses the county line between the Counties of Berrien and Tift; thence westward along what is now the county line between said Counties of Berrien and Tift to where said county line crosses the run of the Little River; thence a southerly direction and southeasterly direction down and along the run of said Little River to where the same reaches the county line between the Counties of Lowndes and of Berrien; thence eastward along said county line between the said Counties of Lowndes and Berrien to where same crosses the run of said Willacoochee River, that being the starting point.

That when said county is created the county seat for the same shall be the Town of Adel, now in said County of Berrien; that if the above and foregoing amendment should be ratified by the people when

the same is submitted to them for their ratification at the next general election after the adoption of the proposal to amend the Constitution, there shall be on the first Wednesday in December after the proposed amendment to the Constitution is adopted, an election for the county officers herein named in and for said new county, to be held at the several election precincts existing within the limits of said new county at the time of the adoption of the proposed amendment, during the usual hours of holding elections, and all legally qualified voters residing in said territory shall be qualified to vote at said election and the Ordinary of Berrien County, the county in which said election precincts are located at the time of the adoption of this amendment, shall appoint the election managers for such precincts, and the managers of the election shall, on the day succeeding the election, meet at the city hall in the Town of Adel, and consolidate the vote for the county officers, and the general laws now in force as to the consolidation of the votes, the return of the election and the commission of officers shall be applicable to officers elected at such special elections herein provided for; that the officers to be elected at said special election herein provided for shall be an ordinary, clerk of the Superior Court, sheriff, tax-collector, tax received, coroner, county surveyor, and county treasurer; that said officers shall be commissioned as now required by law, and all laws now in force in this State to commission officers and for bonds required of them shall be applicable to the officers so elected; that the officers elected at

said election shall hold their offices until the next general election for county officers throughout the State and until their successors are elected and qualified. The General Assembly is hereby given power to create any additional statutory offices in said county or statutory courts and to provide by law for filling said offices. Any vacancies that may occur before the next general election in any of the offices created thus for said county may be filled, as now provided by law. The said County of Cook shall be attached to the Eleventh Congressional District, the Southern Judicial Circuit, and the Sixth Senatorial District, but it shall be in the power of the General Assembly at any time to change the Judicial Circuit to which said County of Cook is attached, and the said General Assembly of Georgia is hereby given power to change said County of Cook in arranging Congressional and Senatorial Districts, as is now provided by law. That the Superior Courts in said County of Cook shall be held on the 1st Monday in March and September of each year, but it shall be within the power of the General Assembly at any time by law to change the time of holding court and the number of terms thereof. That the justices of the peace and constables residing in the territory included within the new County of Cook shall exercise the duties and powers of their office until new militia districts are laid out in said County of Cook, as now provided by law; that all the provisions of the law as contained in chapter thirteen (13) of the Code of 1910 are hereby made applicable to the said County of Cook

whenever the same is created. That all of the general laws in this State in addition to the above having application to the statutory counties of this State are hereby made applicable to the said County of Cook, especially the law in reference to holding elections for the purpose of creating a debt for said county; that when this amendment is adopted, the said County of Cook, so created by the adoption of this amendment, shall become in all respects a statutory county, and shall be governed by all laws now in force in this State regulating county and county affairs.

SEC. 2. The Governor is hereby required and directed, that when the proposed amendment shall be agreed to by two-thirds of the members elected to each of the two houses of this General Assembly, and shall be entered on the journals of each house, with the ayes and nays recorded as taken thereon, to cause the said proposed amendment to be advertised in at least two papers in each Congressional District of this State at least two months before the next general election to be held on Tuesday after the first Monday in November, 1918, and he shall also provide for a submission of the proposed amendment to the qualified voters of the State at said general election. And, if a majority of said electors voting at said general election shall ratify this proposed amendment to the Constitution of this State by a majority of the electors qualified to vote for members of the General Assembly and voting at such election, said amendment shall become a part of the Constitution of Georgia when the fact is certified to the Gov-

ernor by the Secretary of State that a majority of the qualified voters voting at said general election have voted in favor of the adoption of said amendment to the Constitution of the State, and the Governor shall issue his proclamation to such effect.

SEC. 3. Be it further enacted by the authority aforesaid, That the county authorities of said county shall have the right to create a debt for and on behalf of said county to defray the expenses of said county for the first year, without submitting the same to a vote of the qualified voters of said county.

SEC. 4. Be it further enacted by authority aforesaid, That the Legislature is hereby authorized to correct any mistake or mistakes, or inaccuracies, that may occur, or may have occurred, in reference to the line or lines of said proposed new county.

SEC. 5. It shall be the duty of the Governor to submit said proposed amendment in the following form: That those voting in favor of said proposed amendment shall have written or printed on their ticket: "In favor of the ratification of the amendment to Paragraph 2, Section 1, Article 11, of the Constitution, State of Georgia, creating the County of Cook," and those opposed to the ratification of said amendment shall have written or printed on their ticket: "Opposed to the ratification of the amendment to Paragraph 2, Section 1, Article 11, of the Constitution, State of Georgia, creating the County of Cook."

Mr. Denny, chairman of the committee appointed

to prepare suitable resolutions upon the life and services of Hon. I. F. Mundy, deceased, submitted the following report:

Mr President:

The committee appointed to draft and submit to this body suitable resolutions upon the death of Hon. Ivy Felton Mundy, Senator from the 38th Senatorial district, begs leave to submit the following report:

Ivy Felton Mundy was born in October, 1879, in Rockmart, Polk County, Georgia, and after attending high school there he graduated from the Academy and Law Department of Mercer University, in Macon.

He entered upon the practice of law in his native town and quickly established a lucrative practice in his chosen profession.

About ten years ago he married Miss Winnie Allgood, of Rockmart, the daughter of Mr. Henry Allgood, and three bright young sons have blessed this union.

Senator Mundy was for two terms elected as mayor of his home city, and under his administration the city enjoyed its greatest civic and municipal progress.

In 1912-13 he was a member of the House of Representatives from Polk County, and established a most flattering record as a legislator.

In 1916 he was elected, without opposition, as Senator from the 38th District to this General Assembly, and died on August 2nd, 1917, whilst in full harness in his legislative duties.

Senator Mundy was essentially a builder and a leader; prominent in every movement for the uplift of his city, county and State; active in his church relationship, being an earnest and consistent member of the Methodist denomination; a constant friend and helpful sympathizer of the poor and the distressed; charitable to a fault; and a true, faithful and consistent friend, as well as a devoted husband, father and kinsman.

His loss will be long felt by his people who loved him and whom he loved, and they will love to visit and ponder at his grave, for

“There Honor comes, a pilgrim gray,
To bless the turf that wraps his clay.”

Therefore, be it resolved by the Senate, That we fully recognize the distinction and faithfulness with which he served his people and his State, and the honor, dignity and charity that characterized his life.

Resolved, further, That in the death of Senator Mundy, the State has lost one of her most honored sons.

Resolved, further, That a copy of this report and resolutions be spread upon the Journal, and that the Secretary of the Senate furnish a copy to the family of the deceased senator.

Respectfully submitted,

R. A. DENNY, Chairman,

JAS. DAVISON,

H. H. MERRY,

Committee.

The resolutions were adopted by a rising vote.

Mr. Stevens, chairman of the Special Committee to prepare a suitable memorial upon the life and services of Hon. A. A. McCurry, deceased, submitted the following report:

A MEMORIAL

The great mystery of death is always the same, whether we find it in the honorable service of the State or in obscure private life. We bow our heads in reverence before the visible sign of that ruling power which guides the universe.

Yet there are certain circumstances which heighten and sharpen the always solemn lesson of death. When a man is cut down in his prime with all his natural forces unabated and his power of mind and character still widening and strengthening, the blow strikes us with peculiar keenness. When that man is also in the active service of his people, representing them in their legislative halls, his death touches the heart and imagination alike and the lesson of mortality sounds to us louder and deeper toned than ever before. Then returns the echo of the Elizabethan poet—

“The glories of our blood and State
Are shadows, not substantial things;
There is no armour against fate;
Death lays its icy hands on Kings.”

Such has been the fate of our late Senator. On the evening of July 11th, while returning from the Senate Chamber, he was accidentally struck by an automobile, thereby sustaining a severe blow, which

proved to be fatal. He lingered for several days between life and death and at last all hope vanished and he departed this world to enter the Great Beyond, where there is no echo of returning voices, without ever knowing what ushered him out of our presence.

The highest praise that we can bestow upon any man is to say that the story of his life, of what he said, and what he did, of what he was and how he took part in the life of his time is his best eulogy. We can truthfully say this of our deceased Senator, and it is enough, for that simple statement is in itself a full measure of honor. It is in his life that we find his best eulogy for there his works praise him better than any words of ours can possibly do.

Alpha Asben McCurry was born in Hart County, Georgia, on July 11, 1871, and was a son of Oba and Mary McCurry. He married Miss Lizzie Speed in 1889, and from this marriage six children were born. He was a beloved and active member of the Methodist Church, a teacher in the Sunday Schools, and a Steward in the Methodist Church in the town of Hartwell in which he lived. His elementary education was obtained in Hart County's public schools and later he attended Mercer University. After he had finished his literary training he studied law in the office of a friend in Hartwell and was admitted to the bar in that county and practiced there until his death.

The people of Hart County recognizing in him a man of ability and steadfastness, elected him to the legislature in 1909 and continued to keep him there

and availed themselves of his noble services for three terms in the Lower House of the General Assembly. In 1916 he was elected to the Upper House from the 31st District, and at the time of his death he was serving his district and the people of the State of Georgia with honor and distinction.

Be it resolved, That in his death the State loses an able and devoted Senator, the people of the 31st District of Georgia a tried and loyal friend, the commonwealth a high minded and patriotic citizen. Having no advantages of fortune, this son of the people by the force of ability and worth arose to fill the high public station and to render conspicuous service to the people whom he loved and the section which honored him. Treading with cheerful steps the hard road of duty and of opportunity, he attained high success in his chosen field of usefulness and showed once more the possibilities that under free institutions lie before him who has the heart and strength to make the battle.

His career is an inspiration and an example to every ambitious youth and to every man in public life. It bids the youth aspire and fit himself to deserve success. It calls upon him to win a lasting approval in public affairs, to serve the State as his sense of duty bids, to cast aside timidity, to be brave, to rise above the small expediency of the hour, and stand for principle and conviction and not heed the clamor of a day, but follow the call of duty. Animated by such a spirit, he whom we mourn served well his people, his county, his district, his State, (his age), his friends and fellow citizens, and

leaves for family and friends a proud record and an honored and inspiring memory.

Be it resolved, That these resolutions be entered on the Journal of the Senate and an engrossed copy of same be sent to the bereaved family, to whom in their deep affliction the sincere sympathy of the Senate and of the people of the entire State is respectfully tendered.

Respectfully submitted,

C. O. STEVENS,

D. ROSCOE PEACOCK,

H. H. MERRY,

T. A. BROWN,

H. R. DEJARNETTE,

Committee.

The resolutions were adopted by a rising vote.

The following unfinished business of yesterday was taken up, to-wit:

By Messrs. Neill of Muscogee, and Walker of Ben Hill—

A bill to provide for nominations by political parties in this State, of candidates for United States Senator, Governor, State House Officers, Justices of Supreme Court, and Judges of the Court of Appeals, by the county unit system.

Mr. Brown withdrew the substitute he offered on yesterday.

The bill was read the third time.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Field, Alonzo.	Merry, H. H.
Beauchamp, J. C.	Gilmore, George.	Mills, Joe Brown.
Elackwell, F. M.	Heath, E. V	Moore, J. B.
Synum, T. L.	Hendricks, W. H.	Odom, J. C.
Carswell, Geo. H.	Hopkins, H. W.	Peacock, D. Roscoe.
Lavison, James.	Hullender, W. C.	Price, H. H.
DeJarnette, H. R.	Humber, R. T., Jr.	Redwine, C. D.
Dickerson, R. G.	Kirby, J. T.	Riner, M. T.
Dukes, J. P	Leonard, R.	Townsend, S. C.
Dykes, J. R.	Loflin, Frank S.	Weaver, W. F.
Edwards, Chas. H.	Logan, J. B. G.	Yeoman, Sol. J.
Elders, H. H.		

Those voting in the negative were Messrs.—

Beck, E. H.	Denny, R. A.	Stevens, C. O.
Brown, T. A.	Ficklen, Boyce.	Wohlwender, Ed.
Council, M. B.		

Ayes 34, nays 7

The bill having received the requisite constitutional majority was passed.

The following House bill was read the first time, to-wit:

By Messrs. Akin of Glynn and Swift of Muscogee—

A bill to repeal certain Sections of the Code and to levy and collect a tax for support of the State Government.

Referred to Finance Committee.

The following House bill was read the second time and recommitted to the Committee on Counties and County Matters, to-wit:

By Mr. Foy of Taylor—

A bill to repeal an Act to abolish the office of County Treasurer of Taylor County.

The following Senate Bill, which was a special order, was taken up, to-wit:

By Messrs. Andrews, Mundy and others—

A bill to amend an Act, approved August 18, 1913, amending an Act creating the Department of Commerce and Labor.

Mr. Andrews offered the following substitute, which was adopted, to-wit:

A BILL

To be entitled an Act to amend an Act of the General Assembly, approved August 18th, 1913, amending the Act creating the Department of Commerce and Labor, approved August 21st, 1911, by striking out Section two of said amended Act and substituting therefor an entirely new section, defining the duties of said Department, and requiring the collection and collation of certain statistical information; placing employment agents and emigrant agents under the jurisdiction of said Department; making it a misdemeanor for their failure to observe the law; authorizing the establishment of a Labor Division or Free Employment Bureau, and for other purposes.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That the Act approved

August 18th, 1912, amending the Act creating the Department of Commerce and Labor, approved August 18th, 1913, amending the Act creating the Department of Commerce and Labor, approved August 21, 1911, be, and the same is, hereby amended by striking out Section two of the said amended Act and substituting therefor an entirely new section as follows:

SEC. 2. Be it enacted by the authority aforesaid, That the Commissioner, aided by his lawful assistants, shall collect and collate information and statistics concerning labor and its relation to capital, showing labor conditions throughout the State; the hours of labor; the earnings of laborers; and their educational, moral and financial condition, and the best means of promoting their mental, moral and material welfare; shall investigate the cause and extent of labor shortage, and the migration of labor; shall also collect and collate information and statistics concerning the location, capacity of mills, factories, workshops and other industries, and actual output of manufactured products, and also the character and amount of labor employed; the kind and quantity of raw material annually used by them, and the capital invested therein; and such other information and statistics concerning the natural resources of the State and the industrial welfare of the citizens as may be deemed necessary and of interest and benefit to the public and by the dissemination of such data to advertise the various industrial resources of Georgia in order to attract desirable settlers and to bring capital into the State.

The Department of Commerce and Labor is also charged with the following duties:

Paragraph A. As soon as practicable after the passage of this Act the Commissioner shall organize a Division of Labor or Free Employment Bureau, having for its purpose the listing of the names of all persons desiring employment in this State and the endeavor to secure employment for such persons, and the listing of the names of such persons, firms or corporations applying for labor and the endeavor to supply the demand. In conducting the Division of Labor the Commissioner of Labor is herewith authorized and empowered to assist and act in concert with any person or persons, county organization, municipality or governmental agency, having for its purpose the distribution of labor in this State, not conducted for profit, and to cooperate with similar exchanges in other States and with the United States Employment Service, and in every other way the Commissioner is charged with the duty of endeavoring to be of assistance to both employer and employee, and of working in harmony with others having a like end in view, and for which no remuneration is received. For securing employment for those who wish employment and for securing labor for those who need help there shall be no charge whatever made or accepted, directly or indirectly, by any person connected with the Department of Commerce and Labor. All officials of the State and the various counties of the State are herewith charged with the duty of lending such aid and assistance as may be called for by

the Commissioner. Provided, that nothing in this paragraph shall authorize the Commissioner to take any action whatever in cases of strikes and lockouts.

Paragraph B. The Commissioner shall exercise jurisdiction over person, firm or corporation acting as a private employment agent, intelligence bureau or employment agency, for which pay is exacted or received, hereafter referred to as agency, shall, as frequently as may be necessary, examine into the condition of each agency; shall require each agent to make application for license to do business, which application must be endorsed by two taxpayers in the county where such agency proposes to conduct business, said license to be granted by the Commissioner upon the payment to the State of such tax as may be charged, and the filing of a bond in the sum of \$500 for the faithful performance of duty, said license to be renewed annually. The Commissioner shall require each agency to report to him once a month in writing, showing the names, addresses and number of persons for whom positions were secured, where secured, the kind of position, the pay of same, the amount of fee collected and the amount still to be collected. Nothing in this paragraph shall authorize any employment agency or persons connected with such agency, or any employee thereof to act as an emigrant agent. If any agent is found violating the law it shall be the duty of the Commissioner to immediately proceed to have such person presented to the proper authorities for prosecution and to cancel the license to do business. Provided, that the provisions of this Act

shall not apply to teachers' agencies securing employment for teachers exclusively.

Paragraph C. The Commissioner shall exercise jurisdiction over each person, firm or corporation acting as an emigrant agent or agency, hereafter referred to as emigrant agent; shall require each emigrant agent to make application for license to do business, said application to be endorsed by two taxpayers and accompanied by a bond of \$1,000 for the faithful performance of duty, and the payment of such tax as may be required by law. Each emigrant agent shall make a monthly report to the Commissioner, showing the names, the addresses and number of people carried out of the State, the points to which they have been carried, the kind and character of work secured for them, the pay to be received by them, the fee charged them or to be collected and from whom. The emigrant agent must show clearly by whom employed, if paid a salary, or from whom he receives a commission and how much. The Commissioner shall inspect the office and work of each emigrant agent as often as may be necessary and, if any emigrant agent is found to be violating the law, it shall be the duty of the Commissioner to immediately proceed to have such person presented to the proper authorities for prosecution and to cancel the license to do business. Each emigrant agent must secure annually a license to do business.

Paragraph D. Any person, firm or corporation operating an employment agency or any employee of such agency, or any person, firm or corporation

acting as an emigrant agent violating any of the provisions of Paragraphs B and C, or if any person knowingly makes a false statement or false representation to any officer or employee of any employment bureau established under the provisions of this Act for the purpose of obtaining employment or procuring working people, such person or persons shall be guilty of a misdemeanor and shall upon conviction thereof be punished as prescribed in Section 1065 of the Penal Code of 1910.

SEB. 3. Be it further enacted by the authority aforesaid, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

The report of the committee, which was favorable to the passage of the bill, was agreed to, by substitute.

The bill was read the third time and upon its passage by substitute, the ayes were 23 and nays 0.

The bill having received the requisite constitutional majority was passed, by substitute.

The following Senate Bill, which was set as a special order, was taken up for a third reading, to-wit:

By Mr. Andrews—

A bill to amend an Act approved August 17th, 1914, providing for the regulation of the practice of a barber.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate Bill was read the first time, to-wit:

By Mr. Beauchamp (by request)—

A bill to authorize the Railroad Commission to suspend during the war the provisions of the Act requiring cinder deflectors to be put in windows of passenger coaches.

Referred to Committee on Railroads.

Mr. Beck, of the 43rd District, chairman of the Committee on Counties and County Matters, submitted the following report:

Mr. President:

Your Committee on Counties and County Matters has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, as amended, to-wit:

A bill to abolish the office of Commissioner of Roads and Revenues for the County of Butts.

A bill to create a Board of Commissioners of Roads and Revenues for the County of Butts.

Respectfully submitted,

BECK, Chairman.

The following House bills and resolution were read the first time, to-wit:

By Mr. Ballard of Newton—

A resolution to allow the Covington Street Railway Co. to surrender its charter.

Referred to Committee on Railroads.

By Messrs. Woods and Brinson of Emanuel—

A bill to repeal an Act to incorporate the Town of Oak Park.

Referred to Committee on Corporations.

By Mr. Key of Jasper—

A bill to amend an Act creating the Board of Commissioners of Roads and Revenues for the County of Jasper.

Referred to Committee on Counties and County Matters.

By Messrs. Chupp and Steele of DeKalb—

A bill to amend the charter of the Town of Kirkwood.

Referred to Committee on Corporations.

By Mr. Harvin of Calhoun—

A bill to amend the charter of the Town of Arlington.

Referred to Committee on Corporations.

By Messrs. Adams and Jones of Elbert—

A bill to regulate the sale of seed cotton in Elbert County.

Referred to Committee on Counties and County Matters.

By Messrs. Jones and Staten of Lowndes—

A bill to amend an Act establishing the City Court of Valdosta.

Referred to Special Judiciary Committee.

By Mr. Harris of Walker—

A bill to amend the charter of the City of Lafayette.

Referred to Committee on Corporations.

By Mr. Carter of Bacon—

A bill to provide for two terms of the Superior Court of Bacon County.

Referred to Committee on Special Judiciary.

By Mr. Middleton of Early—

A bill to modify the procedure in the City Court of Blakely.

Referred to Special Judiciary Committee.

By Mr. Hardin of Glascock—

A bill to amend the charter of the Town of Gibson.

Referred to Committee on Corporations.

By Mr. Giddens of Berrien—

A bill to provide for the appointment of Board of Commissioners for the Town of Adel.

Referred to Committee on Corporations.

By Mr. Carter of Bacon—

A bill to authorize the Ordinary of Bacon County to collect a special road tax.

Referred to Committee on Counties and County Matters.

By Mr. Bower of Thomas—

A bill to amend an Act creating a Board of Commissioners of Roads and Revenues for the County of Thomas.

Referred to Committee on Corporations.

The following bills of the Senate were read the second time:

A bill to amend an Act providing for the judicial cognizance in certain conditions of proceedings for the condemnation of private property by the State or United States for public purposes.

A bill to provide for the appointment of a Deputy Clerk of the Court of Appeals.

A bill providing for the issue and levy of attachment in foreclosure proceedings for collection of debt where deed to secure payment of has been given and the maker thereof is or thereafter becomes liable to attachment.

A bill to amend the charter of the Town of Maxeys.

A bill providing for the sale without the limits of Georgia and wherever same may be lawfully consummated of certain classes of domestic wines.

The following House Bills were read the second time, to-wit:

By Mr. Mays of Butts—

A bill to repeal an Act to create the office of Commissioner of Roads and Revenues for the County of Butts.

By Mr. Mays of Butts—

A bill to create a Board of Commissioners of Roads and Revenues for the County of Butts.

By Mr. Bond of Franklin—

A bill to establish a City Court in the County of Franklin.

By Mr. Duncan of Douglas—

A bill to amend an Act creating the Board of Commissioners of Roads and Revenues of Douglas County.

By Mr. Smith of Telfair—

A bill amending the charter of the City of McRae.

By Messrs. Stubbs and Davis of Laurens—

A bill amending the Act creating the Board of Commissioners of Roads and Revenues for Laurens County.

By Mr. Strickland of Haralson—

A bill amending the Act incorporating the Town of Waco.

By Mr. Pickett of Terrell—

A bill amending the Act establishing the City Court of Dawson.

By Mr. Bond of Franklin—

A bill abolishing the City Court of Franklin County.

By Mr. Walker of Bleckley—

A bill extending the term of the Bleckley County Superior Court.

By Mr. Bond of Franklin—

A bill dividing the County of Franklin into three Commissioners' Districts.

By Mr. Cravey of Dodge—

A bill fixing the salary of Treasurer of Dodge County.

By Mr. Ballard of Newton—

A bill providing for the collection of commutation taxes by militia districts of Newton County.

By Mr. Pickren of Charlton—

A bill to prohibit the removal of fish from the streams of Charlton County.

By Mr. Scott of Johnson—

A bill amending the Act incorporating the Town of Adrian.

By Mr. Ballard of Newton—

A bill to amend the charter of the City of Covington.

By Mr. Akin of Glynn—

A bill abolishing the office of County Treasurer of Glynn County.

By Mr. Pickren of Charlton—

A bill amending the charter of the Town of Saint George.

By Mr. Coates of Pulaski—

A bill to amend the charter of the City of Hawkinsville.

By Messrs. Morris and Cheney of Cobb—

A bill repealing the Act authorizing the Board of Lights and Waterworks of Marietta to levy and collect an annual sewer tax.

By Messrs. Davis and Stubbs of Laurens—

A bill to establish the City Court of Dublin in and for Laurens County.

By Mr. King of Jefferson—

A bill amending an Act providing for a system of public schools in Jefferson County.

By Mr. Clements of Irwin—

A bill to re-arrange the Cordele Judicial Circuit of Superior Court and the Tifton Judicial Circuit of Superior Court.

By Mr. Ellis of Tift—

A bill amending the Act providing a new charter for City of Tifton.

By Mr. Ellis of Tift—

A bill amending the Act creating the Tifton Judicial Circuit.

By Messrs. Jones and Arnold of Coweta—

A bill amending the Act creating the Board of Commissioners of Roads and Revenues for Coweta County.

Senate Bill No. 32 and House Bill No. 6 were ordered immediately transmitted to the House.

The following resolution was read and referred to the Committee on Rules, to-wit:

By Mr. Dukes—

A resolution requesting the Committee on Rules to set Senate Bill No. 104 for a special order immediately after reading the Journal on Thursday, August 9, 1917

The hour of one o'clock P. M. having arrived the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.

Thursday, August 9, 1917.

The Senate met pursuant to adjournment at 10 o'clock A. M. and was called to order by the President.

Prayer was offered by the Chaplain.

By unanimous consent the call of the roll was dispensed with.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

The President submitted the following communication to the Senate, which was read, to-wit:

DEPARTMENT OF STATE

Atlanta, Aug. 9, 1917

Hon. D. F. McClatchey,
Secretary of the Senate,
State of Georgia:

Sir: I have the honor to report to you, as per the election returns received and of file in this office, the following named person, to-wit:

James H. Skelton, Senator from the 31st District. Election held August 7th, 1917, for unexpired term of Hon. A. A. McCurry, deceased.

PHILIP COOK,
Secretary of State.

The President appointed Mr. Hopkins as a committee of one to escort Hon. Jas. H. Skelton, Senator-elect from 31st District, to the rostrum of the

Senate, and the oath of office was administered by Judge B. D. Evans of the Supreme Court.

The President announced that he had appointed Senator James H. Skelton on the following standing committees of the Senate, to-wit:

Chairman of Committee on Corporations, and a member of the Committees on Appropriations, Education, General Judiciary No. 1, Hygiene and Sanitation, Manufactures, Penitentiary, Railroads, and Privileges and Elections.

Mr. Heath, Vice-Chairman of the Committee on Rules, submitted the following report, to-wit:

Mr. President:

The Committee on Rules beg to submit the following order for the day (August 9th), to-wit:

1. Unanimous Consents.
2. Uncontested Local Bills for 3rd reading.
3. Contested local bills for 3rd reading.
4. 1st and 2nd reading of Senate and House bills.
5. General Bills for today:
 - (1) Senate Resolution No. 31.
 - (2) Senate Bill No. 141.
 - (3) Senate Bill No. 104.
 - (4) Senate bill No. 48.
 - (5) Senate Bill No. 123.
 - (6) Senate Bill No. 80.
 - (7) Senate Bill No. 28.
 - (8) Senate Bill No. 153.
 - (9) Senate Bill No. 90.

Respectfully submitted,
HEATH, Vice-Chairman.

The report was adopted.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills of the Senate, to-wit:

A bill to authorize the City of St. Marys to close certain portions of certain streets in said city.

A bill to create a Board of Commissioners of Roads and Revenues for the County of Oconee.

A bill to divide the County of Franklin into three Commissioners' Districts.

The House has passed by substitute by the requisite constitutional majority the following resolution of the Senate, to-wit:

A resolution setting the 12th day of April of each year as the day for contributions to the "Stone Mountain Memorial Fund."

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills and resolutions of the House, to-wit:

A bill to amend Section 695 of the Code of 1910, relative to who is subject to road duty.

A bill to amend the Drainage Act of 1911.

A bill to amend Act establishing public school system in City of Ocilla.

A bill to provide for the abolishment of the present executive committee of political parties in Coffee County.

A bill to provide for the holding of two terms a year of Superior Court of Twiggs County.

A resolution to authorize the Commissioner of Roads and Revenues of Cobb County to use certain funds.

A resolution urging the United States Government to erect immediately fortifications for the protection of the Brunswick Harbor.

A resolution to urge United States Government to utilize Navy Yard site on Blythe Island.

Mr. Peacock, of the 15th District, Chairman of the Committee on Corporations, submitted the following report:

Mr President:

Your Committee on Corporations has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to repeal an Act entitled an Act to incorporate the Town of Oak Park.

A bill to amend the present charter of the Town of Arlington, Georgia.

A bill to amend an Act creating a Board of Commissioners of Roads and Revenue for the County of Thomas.

A bill to provide for the appointment of Bond

Commissioners for the Town of Adel, and for other purposes.

A bill to amend an Act creating a new charter for the Town of Gibson in Glascock County, approved August 20th, 1913, so as to change the rate of tax that may be levied by said town, and for other purposes.

A bill to amend the Act to amend, codify and consolidate various acts incorporating and amending the charter of the City of LaFayette and extend and define the corporate limits thereof.

Respectfully submitted,

PEACOCK, Chairman.

The following minority report was submitted from the Committee on Counties and County Matters:

Mr. President:

We, the undersigned, respectfully dissent from the majority of the Committee on Counties and County Matters upon House Bills 12 and 13, known as the "Butts County Commissioners' Bill," upon the ground that it is in the nature of a violation of a contract to legislate a man out of office when he has been elected to said office for a fixed term, by a vote of the people.

Respectfully submitted,

BECK of 43rd.

LEONARD of 25th.

LOGAN of 33rd.

Mr. Gilmore, of the 20th District, Chairman of

the Committee on Agriculture, submitted the following report:

Mr. President:

Your Committee on Agriculture has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, as amended, to-wit:

A bill to prevent the shipment of tick infested cattle into and within the State of Georgia.

Respectfully submitted,
GEORGE GILMORE, Chairman.

Mr. Gilmore, of the 20th District, Chairman of the Committee on Agriculture, submitted the following report:

Mr. President:

Your Committee on Agriculture has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to create a bureau of markets for agricultural products within the Department of Agriculture, to provide for the appointment of a director of markets; and for other purposes.

Respectfully submitted,
GEORGE GILMORE, Chairman.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr President:

Your Committee on Counties and County Matters has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill placing the Treasurer of Newton County on a salary.

A bill amending an Act creating the office of Commissioners of Roads and Revenues of Twiggs County.

A bill to regulate the sale of seed cotton in Elbert County.

A bill to authorize the Ordinary of Bacon County to collect a special road tax.

A bill to amend an Act amending an Act creating the Board of County Commissioners of Jasper County.

A bill to fix the salary of Treasurer of Morgan County.

Respectfully submitted,

BECK, Chairman.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr President:

Your Committee on Counties and County Matters has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recom-

mendation that the same do pass, as amended, to-wit:

A bill fixing rate of one dollar per day for commutation road tax in Banks County.

Respectfully submitted,

BECK, Chairman.

Mr. Redwine, of the 26th District, Chairman of the Committee on Banks and Banking, submitted the following report:

Mr. President:

Your Committee on Banks and Banking has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill conferring upon banking companies the rights of trust companies.

Respectfully submittel,

REDWINE, Chairman.

Mr. Weaver, of the 23rd District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr. President:

Your Committee on Special Judiciary has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to provide for two terms of Superior Court of Bacon County.

A bill to modify the procedure in the City Court of Blakely.

A bill to amend an Act establishing the City Court of Valdosta.

Respectfully submitted,
W F WEAVER, Chairman.

Mr. Merry, of the 8th District, Chairman of the Committee on Penitentiary, submitted the following report:

Mr President:

Your Committee on Penitentiary has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

House Bill No. 471, to authorize the Ordinary of Habersham County to use convicts, tools and mules to repair streets in towns and cities in said county.

MERRY, Chairman.

Mr. Peacock, of the 15th District, Vice-Chairman of the Committee on Corporations, submitted the following report:

Mr President:

Your Committee on Corporations has had under consideration the following bills of the Senate, and instructed me, as their vice-chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to authorize the County of Banks to construct bridges, piers, and abutments for any and all

bridges on public highways of said county by convict labor to be performed by the county chain-gang.

A bill to amend an Act approved August 20, 1906, establishing a Board of Lights and Waterworks for the City of Marietta, Ga.

Respectfully submitted,
PEACOCK, Vice-Chairman.

Mr. Edwards, of the 32nd District, Chairman of the Committee on Railroads, submitted the following report:

Mr. President:

Your Committee on Railroads has had under consideration the following resolution of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A resolution to allow the Covington Street Railway Co. to surrender its charter.

Respectfully submitted,
C. H. EDWARDS, Chairman.

Mr. Peacock, Chairman of the Special Committee, to investigate the compilation of the Constitution of the State by Miss Ella May Thornton, submitted the following report, to-wit:

Mr. President:

Your committee, appointed to investigate the compilation of the Constitution of the State by Miss Ella May Thornton, beg leave to report that we have thoroughly examined the work, and find that she has accurately compiled the Constitution of the

State, writing into it in proper form all amendments made thereto up to the present date, and that the work is printed in neat and compact form for ready and easy reference.

We, therefore, recommend that sufficient provision be made for the printing and distribution of this pamphlet to the people of the State who may desire copies of the same.

The thanks of the State is due Miss Thornton for this service, which she has rendered the State without compensation.

Respectfully submitted,
D. ROSCOE PEACOCK, Chairman.

Mr. Heath, Vice-Chairman of the Committee on Rules, submitted the following report:

Mr. President:

Your Committee on Rules beg to submit the following report:

That beginning with today, and continuing through the remainder of the session, all individual speeches shall not exceed ten minutes.

HEATH, Vice-Chairman.

The following Senate Bills were read the first time, to-wit:

By Mr. Redwine—

A bill to amend an Act approved December 29, 1888, to establish and Experimental Farm.

Referred to Committee of University of Georgia.

By Messrs. Bynum, DeJarnette and others—

A bill to accept the funds appropriated by Con-

gress under the legislation known as the Smith-Hughes measure.

Referred to Committee on Education.

By Mr. Hendricks—

A bill to create the office of County Treasurer of Tift County.

Referred to Committee on Counties and County Matters.

The following House Bills were read the second time and recommitted, to-wit:

By Messrs. Chupp and Steele of DeKalb—

A bill to amend the charter of the Town of Kirkwood.

Recommitted to Committee on Corporations.

By Messrs. Akin of Glynn and Swift of Muscogee—

A bill to repeal certain Sections of the Code and to levy and collect a tax for support of the State Government.

Recommitted to Finance Committee.

The following Senate Bill was taken up for a third reading, to be put upon its passage, to-wit:

By Messrs. Weaver, Leonard and Wohlwender—

A bill to abolish the fee system now existing in the Chattahoochee Circuit.

The following amendment was read and adopted, to-wit:

By Mr. Weaver—

Moves to amend Section two of Senate Bill No. 116, by striking all of said Section between the word "Circuit" in the 6th line, and the word "it" in the 13th line of said Section two, and inserting therefor, and in lieu thereof, the following words and figures, to-wit: "in the following proportions, to-wit: Chattahoochee County shall pay the sum of \$134.58. Harris County shall pay the sum of \$406.51; Marion County shall pay the sum of \$222.70; Muscogee County shall pay the sum of \$3,037.45; Talbot County shall pay the sum of \$233.16 and Taylor County shall pay the sum of \$215.60.

The report of the committee, which was favorable to the passage of the bill, was agreed to, as amended.

Upon the passage of the bill, as amended, the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed, as amended.

The following House bills were taken up for a third reading to be put upon their passage, to-wit:

By Mr. Ellis of Tift—

A bill to amend an Act creating the Tifton Judicial Circuit, so as to provide for two terms a year of Superior Court of Tift County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Coates of Pulaski—

A bill to amend the charter of City of Hawkinsville.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Lankford of Toombs—

A bill to prohibit the running at large of any bull or boar over 4 months old in Toombs County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Stewart of Coffee—

A bill to amend the charter of City of Douglas.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Walker of Bleckley—

A bill to extend the time one week, of each term of Bleckley County Superior Court.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Messrs. Stubbs and Davis of Laurens—

A bill to amend an Act creating a Board of Commissioners of Roads and Revenues for Laurens County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Pickren of Charlton—

A bill to prohibit the removal of fish by transportation, shipping, etc., from any streams within the limits of Charlton County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Cravey of Dodge—

A bill to incorporate the Town of Rhine in Dodge County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Bond of Franklin—

A bill to establish a City Court in the County of Franklin.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Ellis of Tift—

A bill to amend the charter of the City of Tifton.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Pickett of Terrell—

A bill to amend an Act establishing the City Court of Dawson.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. King of Jefferson—

A bill to amend an Act to provide for a system of public schools in the County of Jefferson.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Messrs. Morris and Cheney of Cobb—

A bill to repeal the Act authorizing the Board of Lights and Waterworks of Marietta to levy and collect an annual sewer tax.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Swords of Morgan—

A bill to fix the salary of the Treasurer of Morgan County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Clements of Irwin—

A bill to re-arrange the Cordele and Tifton Judicial Circuits.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Lasseter of Dooly—

A bill to amend the charter of the City of Lilly.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Burt of Dougherty—

A bill to create a new charter for the City of Albany.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Kimzey of Habersham—

A bill to incorporate the City of Clarkesville.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Messrs. Davis and Stubbs of Laurens—

A bill to amend an Act to establish the City Court of Dublin.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Pickren of Charlton—

A bill to amend the charter of Town of Saint George.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Ballard of Newton—

A bill to amend the charter of Town of Covington.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Scott of Johnson—

A bill to amend the charter of the Town of Adrain.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Gilmore of Turner—

A bill to amend the charter of the Town of Rebecca.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Messrs. Kelley and Green of Gwinnett—

A bill to amend the charter of the City of Buford.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Harvin of Calhoun—

A bill to amend Section 2 of the charter of the Town of Arlington.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Strickland of Haralson—

A bill to amend the charter of the Town of Waco.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Messrs. Kelley and Green—

A bill to amend an Act establishing a system of public schools in the Town of Lawrenceville.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Messrs. Jones and Arnold of Coweta—

A bill to amend an Act creating a Board of Commissioners of Roads and Revenues in Coweta County

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Messrs. Arnold and Jones—

A bill to amend an Act to establish a system of public schools in the City of Newnan

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Smith of Telfair—

A bill to amend the charter of the City of McRae.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Ballard of Newton—

A bill to provide for the collection of commutation taxes by militia districts of Newton County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Bond of Franklin—

A bill to divide the County of Franklin into three Commissioners' Districts.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. King of Jefferson—

A bill to amend the charter of the Town of Spread.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Duncan of Douglas—

A bill to amend an Act creating the Board of Commissioners of Roads and Revenues of Douglas County.

The report of the committee, which was favorable to the passage of the bill, as amended, was agreed to.

On the passage of the bill as amended, the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed, as amended, and the amendments adopted, are as follows:

The committee proposes to amend Section 3 by adding in the fifth line after the words “as follows,” the words: “For the First Road District A. S. Gresham, for the second,” so that Section 3 when amended, shall read as follows:

SECTION 3. Be it further enacted by the authority aforesaid, That the following named residents of Douglas County are hereby appointed, constituted

and made Commissioners of Roads and Revenues for said County of Douglas under this Act, as follows: For the First Road District, A. S. Gresham; for the Second Road District, I. H. Willoughby; for the Third Road District, S. L. Hembree, and they shall hold office until January 1st, 1921, and until their successors are elected and qualified as hereinafter provided.

Amend Section 8 by striking from line five between the words "per" and "provided" the words "day for each day of actual service," and insert in lieu thereof the word "diem."

Amend Section 9 by striking from line eight there-of between the words "warrants" and "said" the words "a record of all bills presented whether approved or disapproved."

Amend Section 12 by striking from line eight between the word "purposes" and the word "said" the words "the number of persons subject to road duty."

By Mr. Cason of Bryan—

A bill to create the office of Supervisor of Roads and Revenues for the County of Bryan.

Mr. Dukes offered the following amendment, which was adopted, to-wit:

Amend House Bill No. 249 by adding after the last word of Section one of said Act the following words, to-wit Provided, this Act shall not become effective until the first day of January, 1918.

The report of the committee which was favorable to the passage of the bill, was agreed to, as amended.

On the passage of the bill, as amended, the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed, as amended.

By Mr. Cravey of Dodge—

A bill to fix the salary of the Treasurer of Dodge County

The report of the committee, which was favorable to the passage of the bill, as amended, was agreed to.

Upon the passage of the bill, as amended, the ayes were 30, and nays-0.

The bill, having received the requisite constitutional majority, was passed as amended, and the amendment, which was adopted, is as follows, to-wit:

The committee proposes to amend House Bill No. 501 by **striking from Section 1** thereof the figures “1918” and inserting in lieu thereof the figures “1919” where the same occur.

By Mr. Mays of Butts—

A bill to repeal an Act to create the office of Commissioner of Roads and Revenues for the County of Butts.

The following amendment was read and adopted, to-wit:

Mr. Redwine moves to amend by adding the following to be known as Section Four of said bill:

“Provided, however, that this Act shall go into effect only upon the ratification by a majority of the voters of said county voting in said election, of an Act passed at the 1917 session of the General Assembly of Georgia, providing for the creation of a Board of three Commissioners for said county, and naming said three commissioners therein, which is to be voted upon at a special election for that purpose on the 12th day of September, 1917 Should a majority of the voters voting in said election vote to ratify said Act and create said Board of three Commissioners then this Act to go into effect and operation, but should a majority of the voters voting in said election fail to vote for the ratification of said Act and the creation of a Board of three Commissioners for said county, then this Act is void and of no effect.”

The report of the committee, which was favorable to the passage of the bill, was agreed to, as amended.

Upon the passage of the bill, as amended, the ayes were 30, and nays 0.

The bill, having received the requisite constitutional majority, was passed, as amended.

By Mr. Mays of Butts—

A bill to create a Board of Commissioners of Roads and Revenues for the County of Butts.

The following amendments were read and adopted, to-wit:

Mr. Redwine moves to amend House Bill No. 13 by striking the words "28th day of November, 1917," and inserting in lieu thereof the words "12th day of September, 1917."

Further amend by inserting after the words "for ratification" the following words: "of the bill creating a Board of Commissioners of Roads and Revenues for the County of Butts, and naming therein W. W. Wilson, J. S. Carter and H. L. Gray."

Amend further by inserting after the words "against ratification" the following words: "of the Act creating a Board of Commissioners of Roads and Revenues for the County of Butts and naming therein W W Wilson, J. S. Carter, and H. L. Gray "

All the above amendments apply to Section one of said bill.

The report of the committee, which was favorable to the passage of the bill, was agreed to, as amended.

Upon the passage of the bill, as amended, the ayes were 32, and nays 0.

The bill, having received the requisite constitutional majority, was passed, as amended.

By Mr. Middleton of Early—

A bill to change the manner in which the Board of Commissioners of Early County shall be elected.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Cason of Bryan—

A bill to create a Board of Commissioners of Roads and Revenues for the County of Bryan.

The report of the committee, which was favorable to the passage of the bill by substitute, as amended, was agreed to.

Upon the passage of the bill by substitute, the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed by substitute, and the substitute passed by the Senate is as follows, to-wit:

SUBSTITUTE BY MR. DUKES OF THE FIRST.

An Act to create a Board of Commissioners of Roads and Revenues of Bryan County, etc.

SECTION 1. Be it enacted by the General Assembly, and it is hereby enacted by authority of the same, That there shall be created and established a Board of Commissioners of Roads and Revenues of the County of Bryan in the State of Georgia consisting of three (3) persons, one of whom shall be the Ordinary of Bryan County, that each of the two elected members shall be freeholders of said county, and shall be elected by the qualified voters at a special election to be held on the first Wednesday in

October, 1917, which election shall be called by the Ordinary of said county after giving twenty days' notice in the official advertising organ of said county, and all persons voting at said election shall be such as are qualified to vote under the laws of the State governing the election of State House Officials and the officers so elected shall be declared elected by the Ordinary of said Bryan County, and they shall qualify, take oath and assume their duties on the first day of January, 1918, before the Ordinary and shall hold office until the 31st day of December, 1918, and each and all subsequent elections held to elect their successors in office shall be held under the law governing State House elections, and the successors of the officers elected at the special election shall be elected at the next general election for State House Officials, and their terms of office shall begin on the first day of January, 1919, and shall run for a period of two years, and all other elections shall be held at the general election for State House Officials and said officers so elected for Commissioners of Roads and Revenues shall hold their offices for a period of two years.

SEC. 2. Be it further enacted by the authority aforesaid, That the two Commissioners of Roads and Revenues elected either at the special or any general election shall be commissioned by the Governor of the State of Georgia and shall qualify and take oath of office before the Ordinary of Bryan County, and the term of office of those elected at said special election shall begin at the date of their qualifications as officers under this Act and continue

until December 31, 1918, when their successors who shall have been elected shall assume the duties of office under the provision of this Act.

SEC. 3. Be it further enacted by the authority aforesaid, That the County of Bryan is by this Act divided into four districts, for road purposes, which are hereby made according to the militia districts of said county, there being four militia districts in said Bryan County, and, by the provisions of this Act, each of the four militia districts is hereby made a road district. However, the two elected commissioners shall be elected from the County of Bryan without reference to district residence.

SEC. 4. Be it further enacted by the authority aforesaid, That the Ordinary shall be by virtue of his office, and is hereby, under the provisions of this Act, made Chairman of the Board of Commissioners of Roads and Revenues of said Bryan County.

SEC. 5. Be it further enacted by authority aforesaid, That said Board of Commissioners of Roads and Revenues are hereby authorized and empowered by the provisions of this Act to elect one of their number as clerk of said board or any other person in their judgment who is qualified to hold said position and to fix his compensation, whose duties it shall be to keep a correct and accurate minute of the proceedings of said board. In case of vacancy of clerk of said board, said board is hereby authorized and empowered under the provisions of this Act to elect another clerk.

SEC 6. Be it further enacted by authority afore-

said, That in case of death or resignation or removal from the county of any member of said Board of Commissioners of Roads and Revenues, the Ordinary of said Bryan County shall call an election to fill said vacancy under the laws now governing the calling of an election to fill the vacancy in the office of tax-collector.

SEC. 7 Be it further enacted by authority aforesaid, That each of said Commissioners of Roads and Revenues shall be paid the sum of \$3.00 per diem for each day they shall actually serve for county purposes.

SEC. 8. Be it further enacted by authority aforesaid, That the said Board of Commissioners of Roads and Revenues shall hold their regular session on the first Tuesday in each month at the county site, and they are hereby empowered and authorized under the provisions of this Act to call an extra session for county purposes at any time when necessity or an emergency shall require the same to be done.

SEC. 9. Be it further enacted by authority aforesaid, That under the provisions of this Act two members of said Board shall constitute a quorum which may include the chairman to make the quorum.

SEC. 10. Be it further enacted by authority aforesaid, That said board shall have original and exclusive jurisdiction over the following matter, to-wit: (a) In direction and controlling of all county property, as they may deem expedient ac-

according to law (b) In levying a general tax for general purposes and a special tax for special purposes according to law. (c) To establish, work, alter or abolish all public roads, bridges, and ferries according to law. (d) In establishing and changing elections precincts and militia districts. (e) In examining and allowing and settling, according to law, all just claims that may arise against said county. (f) In examining and auditing the accounts of all officers having the care, management, keeping, collecting and disbursing of moneys belonging to the county or appropriated for its benefit and use, and bringing them to settlement. (g) In making rules and regulations, according to law, for the support of the poor of the county and for the promotion of health as is granted by law and not inconsistent with law hereinafter enacted.

SEC. 11. Be it further enacted by authority aforesaid, That said Board of Commissioners of Roads and Revenues shall have authority to employ annually a superintendent or warden for the chain-gang of said county, who shall be paid a reasonable compensation for his services to be fixed by said board and said officer or officers so elected shall give bond in an amount to be fixed by said Commissioners of Roads and Revenues and which bond shall be made payable to said Board of Commissioners of Roads and Revenues of said county and their successors in office for the faithful performance of the duties of the said superintendent or warden and for proper handling of the property and funds of the

county that may come into his hands by virtue of his office.

SEC. 12. Be it further enacted by the authority aforesaid, That said board have charge of the superintendent or warden and guards and they shall be under the direction and control of said Board of Commissioners of Roads and Revenues, in conformity with the laws, rules and regulations as are prescribed by the State laws and by the Prison Commission of Georgia, and that said board shall have authority to discharge or remove any of them from office as in their judgment they shall deem to the best interest in the management of the affairs of said county.

SEC. 13. Be it further enacted under the provisions of this Act, That said Board of Commissioners of Roads and Revenues shall have the authority and power to fix the salaries of guards that may be employed under the provisions of this Act and to pay them such salaries.

SEC. 14. Be it further enacted, That said Board of Commissioners of Roads and Revenues of said county shall have the authority to relieve any person or corporation from double taxes, if in their judgment, and in conformity with the law, the same should be done; however, they shall have no authority to correct or change any tax returns or refund any money that shall have been paid by any person or corporation who shall be liable for taxes due the State or County

SEC. 15. Be it further enacted, That said Board

of Commissioners of Roads and Revenues shall pay upon an itemized sworn monthly statement rendered to them such an amount as they shall deem proper to the sheriff and jailer of said county for the feeding and dieting of prisoners confined in said county and jail under due process of law.

SEC. 16. Be it further enacted, That said Board of Commissioners of Roads and Revenues shall keep in view the proper, just and legal management of all their affairs of the county entrusted to them by law and shall not approve or pay any account, claim, insolvent costs or other costs of any kinds or other demands against said county unless the same is directed and authorized by law.

SEC. 17 Be it further enacted by authority aforesaid, That each of said Commissioners of Roads and Revenues shall give a good and sufficient bond which shall have the same lien as is now provided by law for County Treasurer's bond, payable to the Ordinary of said County of Bryan and to his successors in office for the faithful discharge of their respective duties in the sum of two thousand dollars.

SEC. 18. Be it further enacted by authority aforesaid, That the Commissioners of Roads and Revenues shall have authority to employ and pay a County Physician, in conformity with the regulations and rules of the Prison Commission.

SEC. 19. Be it further enacted by authority aforesaid, That the Board of Commissioners of Roads and Revenues are authorized to employ counsel for

legal advice or otherwise when they shall deem it necessary.

SEC. 20. Be it further enacted by the authority aforesaid, That said Board of Commissioners shall have the power and authority to try all road defaulters and impose fines and enforce the same in conformity with the laws of the State with regard to road defaulters.

SEC. 21. Be it further enacted by authority aforesaid, That said Commissioners are required to make an itemized report of moneys collected and expended and in each instances it shall be shown from what source derived and how expended, at all times taking a proper receipt therefor, and for a failure to comply in full with the duties herein prescribed, they either or all are hereby made liable to removal from office by the Judge of the Superior Court of Bryan County, upon a petition filed by any person setting forth such causes and after due hearing has been had upon said petition. The receipts and books of said commissioners shall be exhibited to the Grand Jury of Bryan County at each term of court, which report shall show the exact conditions of the affairs of the county.

SEC. 22. Be it further enacted by the authority aforesaid, That on the twelfth day of September an election shall be held in Bryan County at which time the several eligible voters of the county shall determine whether said Board of Commissioners shall be composed of the three membrs as set forth in the first section of this Act or five members. Tickets for this special election shall be prepared

and furnished by the Ordinary's office of Bryan County, and on said tickets shall be printed two paragraphs, the first to read: "For three Commissioners of Roads and Revenues of Bryan County;" the second shall read: "For five Commissioners of Roads and Revenues of Bryan County." In a majority of those voting shall vote in favor of three Commissioners, then on the date provided for in Section one of this Act, two freeholders from the county at large shall be elected as is provided for in said Section one of this Act. However, if a majority of those voting shall vote in favor of five members, then and in that event four freeholders, one from each of the militia districts of said county shall be elected on the date hereinbefore mentioned, to-wit: first Wednesday in October, 1917, and four members shall be elected at each and all subsequent elections held for Commissioners of Roads and Revenues of Bryan County, and they together with the Ordinary of Bryan County shall constitute the Board of Commissioners of Roads and Revenues of Bryan County, the intention of this Act being to apply to three Commissioners of Roads and Revenues if three are determined on at the special election held on the 12th day of September, 1917, or to apply to five Commissioners of Roads and Revenues if five are determined on said date.

SEC. 23. Be it further enacted, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

The following House bills and House resolutions were read the first time, to-wit:

By Mr. Akin—

A resolution urging the United States Government to erect immediately a temporary and also permanent fortifications for the protection of Brunswick.

Referred to Committee on State of Republic.

By Mr. Shannon of Twiggs—

A bill to provide for two terms a year of the Twiggs County Superior Court.

Referred to Committee on Counties and County Matters.

By Messrs. Davenport and Palmour of Hall—

A bill to amend Section 695 of the Civil Code of 1910, relative to who is subject to road duty

Referred to Committee on General Judiciary No. 1.

By Messrs. Kelley and Green of Gwinnett—

A bill to amend the Drainage Act of 1911.

Referred to Committee on Drainage.

By Messrs. Morris and Cheney of Cobb—

A resolution authorizing the Commissioners of Roads and Revenues of Cobb County to use certain funds.

Referred to Committee on Counties and County Matters.

By Mr. Clements of Irwin.

A bill to amend an Act establishing a system of public schools in the City of Ocilla.

Referred to Committee on Education.

By Mr. Stewart of Coffee—

A bill to provide for the abolishment of the present executive committees of political parties in Coffee County.

Referred to Committee on Privileges and Elections.

By Mr. Akin of Glynn—

A resolution to urge the United States Government to utilize the navy yard site on Blythe Island and the harbor of Brunswick.

Referred to Committee on State of Republic.

The following Senate bills were read the first time, to-wit:

By Mr. Redwine—

A bill to amend the charter of the City of Griffin.

Referred to Committee on Corporations.

By Mr. Denny—

A bill to amend an Act to annually levy and collect a tax for the support of the State Government.

Referred to Committee on Finance.

By Mr. Dickerson—

A bill to suspend during the term of the present war an Act to require railroad companies to put cinder deflectors in the windows of passenger coaches.

Referred to Committee on Railroads.

The following House bill was recommitted to the Committee on Counties and County Matters, to-wit:

By Mr. Akin of Glynn—

A bill to abolish the office of County Treasurer of Glynn County

House Bill No. 101 (City Court of Douglas) was recommitted to Committee on Counties and County Matters.

The following Senate bills were read the second time, to-wit:

By Mr. Elders—

A bill to regulate the operation of pilot boats.

By Mr. Logan—

A bill to authorize the County of Banks to construct bridges on public highways with county convicts.

By Mr. Townsend—

A bill to prevent the shipment of tick infested cattle into and within the State of Georgia.

By Mr. Andrews—

A bill to amend an Act to establish a Board of Lights and Waterworks for the City of Marietta.

The following House bills and resolutions were read the second time, to-wit:

By Mr. Ballard of Newton—

A bill to place the Treasurer of Newton County on a salary

By Mr. Harvin of Calhoun—

A bill to amend the present charter of the Town

of Arlington, Georgia, approved October 9th, 1891.

By Mr. Carter of Bacon—

A bill to authorize the Ordinary of Bacon County to collect a special road tax.

By Mr. Giddens of Berrien—

A bill to provide for the appointment of Bond Commissioners for the Town of Adel, and for other purposes.

By Mr. Hardin of Glascock—

A bill to amend an Act creating a new charter for the Town of Gibson in Glascock County, approved August 20th, 1913, so as to change the rate of tax that may be levied by said town, and for other purposes.

By Mr. Don Harris of Walker County—

A bill to amend the Act to amend, codify and consolidate various Acts incorporating and amending the charter for the corporation of the City of La-Fayette in the County of Walker and extend and define the corporate limits thereof, and for other purposes.

By Mr. Middleton of Early—

A bill to modify the procedure in the City Court of Blakely, to amend the existing acts relative thereto, and for other purposes.

By Mr. Kimzey of Habersham—

A bill to authorize the Ordinary of Habersham County to use convicts, tools and mules to repair streets in towns and cities in said county.

By Mr. Bowers of Thomas—

A bill to amend an Act creating a Board of Commissioners of Roads and Revenues for the County of Thomas.

By Mr. Roberts of Echols—

A resolution authorizing the State Librarian to furnish certain books to the officials of Echols County.

By Messrs. Woods and Brinson of Emanuel—

A bill to repeal an Act entitled an Act to incorporate the Town of Oak Park.

By Mr. Harden of Banks—

A bill fixing rate of one dollar per day for commutation road tax in Banks County.

By Messrs. Adams and Jones of Elbert County—

A bill to regulate the sale of seed cotton in Elbert County.

By Mr. Shannon of Twiggs County—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for the County of Twiggs.

By Messrs. Jones and Staten of Lowndes—

A bill to amend an Act establishing the City Court of Valdosta in and for the County of Lowndes; to define its jurisdiction and powers, and for other purposes.

By Mr. Ballard of Newton County—

A resolution to allow the Covington Street Rail-

way Company to surrender its charter, and for other purposes.

By Mr. Carter of Bacon—

A bill to provide for two terms of the Superior Court of Bacon County; to prescribe the time of holding such courts.

By Mr. Ballard of Newton County—

A bill to amend an Act creating office of Commissioners of Roads and Revenues of Newton County.

By Mr. Key of Jasper—

A bill to amend an Act amending an Act creating the Board of County Commissioners of Jasper County, Ga.

The following Senate resolution was taken up for a third reading, to-wit:

By Mr. Brown—

A resolution to require Tennessee Copper Company to make monthly reports to the Governor with respect to the operation of its plants.

The report of the committee, which was favorable to the passage of the resolution by substitute, was agreed to.

Upon the passage of the resolution by substitute the ayes were 25, and nays 0.

The resolution, having received the requisite constitutional majority, was passed by substitute.

The following Senate bills were taken up for a third reading to be put upon their passage, to-wit:

By Mr. Stevens—

A bill to amend the charter of the Town of Maxeys.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Heath—

A bill to correct defects in the law of 1916 relating to special registration of voters in county bond elections.

The bill was read the third time, and the report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill, having received the requisite constitutional majority, was passed.

The following Senate bill, which was set as a special order, was taken up for a third reading, to-wit:

By Mr. Dukes—

A bill to authorize the Railroad Commission to establish and enforce actual rates, whether maximum or minimum, and require the observance of such rates on the part of electrical and gas companies in the State of Georgia.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

The bill was read the third time, and upon its passage the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Beauchamp, J. C.	Ficklen, Boyce.	Loftin, Frank S.
Bynum, T. L.	Gilmore, George.	Merry, H. H.
Carswell, Geo. H.	Heath, E. V.	Mills, Joe Brown.
DeJarnette, H. R.	Hopkins, H. W.	Moore, J. B.
Denny, R. A.	Hullender, W. C.	Peacock, D. Roscoe
Dickerson, R. G.	Humber, R. T., Jr.	Redwine, C. D.
Dukes, J. P.	Kirby, J. T.	Stevens, C. O.
Elders, H. H.	Leonard, R.	

Those voting in the negative were Messrs.—

Andrews, W. P.	Edwards, Chas. H.	Skelton, J. H.
Beck, E. H.	Field, Alonzo.	Weaver, W. F.
Blackwell, F. M.	Logan, J. B. G.	Wohlwender, Ed.
Brown, T. A.	Price, H. H.	Yeoman, Sol. J.
Council, M. B.	Riner, M. T.	

Those not voting were Messrs.—

Davison, James.	Hendricks, W. H.	Townsend, S. C.
Dykes, J. R.	Odom, J. C.	

Ayes 23, nays 14.

The bill, having received the requisite constitutional majority, was passed.

By resolutions ex-Senator E. A. Copeland, of Greensboro, and Hon. R. T. Humber, Sr., of Stewart County, were invited to seats upon the floor of the Senate.

The hour of one o'clock P. M. having arrived the Senate adjourned until tomorrow morning at ten o'clock.

SENATE CHAMBER, ATLANTA, GA.

Friday, August 10, 1917

The Senate met pursuant to adjournment at 10 o'clock A. M. and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names, to-wit: .

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Odom, J. C.
Blackwell, F. M.	Gilmore, George.	Peacock, D. Roscoe
Brown, T. A.	Heath, E. V.	Price, H. H.
Eynum, T. L.	Hendricks, W. H.	Redwine, C. D.
Carswell, Geo. H.	Hopkins, H. W.	Riner, M. T.
Council, M. B.	Hullender, W. C.	Skelton, J. H.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
DeJarnette, H. R.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dickerson, R. G.	Loftin, Frank S.	Wohlwender, Ed.
Dukes, J. P.	Logan, J. B. G.	Yeoman, Sol. J.
Dykes, J. R.	Merry, H. H.	Mr. President.
Edwards, Chas. H.		

Mr. Wohlwender gave notice that at the proper time he would move to reconsider Senate Bill No. 104.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitu-

tional majority the following bills and resolutions of the House, to-wit:

A bill to amend Section 2632 of the Code of 1910 as to publication of schedules of freight rates.

A bill to repeal Section 1065 of the Code of 1910, providing that taxes on mines and plantations on county lines shall be returned in the county with the most improvements.

A bill to amend an Act fixing the salary of the Treasurer of Jones County.

A bill to incorporate the City of Lytle.

A bill to amend an Act incorporating the City of Colquitt.

A bill to amend an Act creating a Board of Commissioners of Roads and Revenues for Henry County.

A bill to amend the charter of the City of East Point.

A bill to authorize the city authorities of East Point to hold an election for local taxation for public schools.

A bill to amend an Act to incorporate the Georgia Loan and Trust Co.

A resolution to authorize the Librarian to purchase certain volumes of Georgia Reports.

A resolution on relief of sureties W J. Rollins and Charlie Sheppard.

A resolution for the relief of William Henderson.

Mr. Wohlwender moved to reconsider the action of the Senate on yesterday upon the passage of the following bill of the Senate, to-wit:

By Mr. Dukes—

A bill to authorize the Railroad Commission of Georgia to establish actual rates, whether maximum or minimum, and require the observance of such rates on the part of the electrical and gas companies in the State of Georgia.

Upon the motion to reconsider the ayes and nays were ordered, and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Field, Alonzo.	Skelton, J. H.
Blackwell, F. M.	Logan, J. B. G.	Weaver, W. F.
Brown, T. A.	Price, H. H.	Wohlwender, Ed.
Council, M. B.		

Those voting in the negative were Messrs.—

Beauchamp, J. C.	Ficklen, Boyce.	Merry, H. H.
Bynum, T. L.	Gilmore, George.	Mills, Joe Brown.
Carswell, Geo. H.	Heath, E. V.	Moore, J. B.
Davison, James.	Kopkins, H. W.	Odom, J. C.
DeJarnette, H. R.	Hullender, W. C.	Peacock, D. Roscoe.
Denny, R. A.	Humber, R. T., Jr.	Riner, M. T.
Dickerson, R. G.	Kirby, J. T.	Stevens, C. O.
Dukes, J. P.	Leonard, R.	Townsend, S. C.
Dykes, J. R.	Loftin, Frank S.	Yeoman, Sol. J.
Eluers, H. H.		

Those not voting were Messrs.—

Beck, E. H.	Hendricks, W. H.	Redwine, C. D.
Edwards, Chas. H.		

Ayes 10; nays 28.

The motion to reconsider was lost.

The following joint resolution was read and adopted, to-wit:

By Mr. Townsend—

A resolution providing that the Chairmen of the

Senate and House Committees on the Western and Atlantic Railroad be authorized to call a meeting of said committees during vacation of the General Assembly.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr President:

Your Committee on Counties and County Matters has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to be entitled an Act to provide for the holding of two terms a year of the Superior Court of Twiggs County.

A bill to repeal an Act to abolish the office of County Treasurer of Taylor County.

Respectfully submitted,

BECK, Chairman.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr President:

Your Committee on Counties and County Matters has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to create the office of County Treasurer for Tift County.

Respectfully submitted,

BECK, Chairman.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr President:

Your Committee on Counties and County Matters has had under consideration the following resolution of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A resolution to authorize the Commissioners of Roads and Revenues of Cobb County to use certain funds, and for other purposes.

Respectfully submitted,

BECK, Chairman.

Mr. Skelton, of the 31st District, Chairman of the Committee on Corporations, submitted the following report:

Mr President:

Your Committee on Corporations has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend the charter of the City of Griffin.

Respectfully submitted,

JAMES H. SKELTON, Chairman.

Mr. Hullender, of the 44th District, Chairman of the Committee on Enrollment, submitted the following report:

Mr. President:

Your Committee on Enrollment report as duly enrolled and ready for the signature of the President of the Senate and Speaker of the House, the following Acts, to-wit:

An Act to amend an Act creating a new charter for the City of Rome.

An Act to amend and Act fixing the compensation of the County Treasurer of Polk County

Respectfully submitted,

W C. HULLENDER, Chairman.

Mr. Hullender, of the 44th District, Chairman of the Committee on Enrollment, submitted the following report:

Mr. President:

Your Committee on Enrollment report as duly signed by the President of the Senate and Speaker of the House, and delivered to the Governor, the following Acts, to-wit

An Act to amend an Act creating a new charter for the City of Rome.

An Act to amend and Act fixing the compensation of the County Treasurer of Polk County.

Respectfully submitted,

W C. HULLENDER, Chairman.

Mr. Elders, of the 2nd District, Chairman of the Committee on Education, submitted the following report:

Mr President:

Your Committee on Education has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

House Bill No. 232, to amend an Act establishing a system of public schools for Abbeville.

House Bill No. 488, to establish a system of public schools for Braselton.

House Bill No. 499, to amend an Act establishing a system of public schools for Vidalia.

House Bill No. 533, to amend an Act establishing a system of public schools for Ocilla.

Respectfully submitted,

H. H. ELDERS, Chairman.

The following Senate bills were read the first time, to-wit:

By Mr. Denny—

A bill to amend, consolidate and supersede the several Acts incorporating the City of Cartersville.

Referred to Committee on Corporations.

By Mr. Yeoman—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for the County of Lee.

Referred to Committee on Counties and County Matters.

By Mr. Peacock—

A bill to authorize administrators to obtain loans upon the security of property of their intestates.

Referred to General Judiciary Committee No. 1.

The following House resolutions and House bills were read the first time, to-wit:

By Mr. King of Jefferson—

A resolution for relief of W. J. Rollins and Charlie Sheppard.

Referred to Committee on General Judiciary No. 2.

By Mr. Wright of Jones—

A bill to amend an Act to fix the salary of the County Treasurer of Jones County.

Referred to Committee on Counties and County Matters.

By Messrs. Fowler and Hall of Bibb—

A bill to incorporate the Georgia Loan and Trust Co.

Referred to Special Judiciary Committee.

By Mr. Harris of Walker—

A bill to incorporate the City of Lytle.

Referred to Committee on Corporations.

By Mr. Clements of Irwin—

A resolution for the relief of William Henderson.

Referred to Committee on General Judiciary No. 1.

By Messrs. Atkinson, Smith and White of Fulton—

A bill to amend the charter of the City of East Point.

Referred to Special Judiciary Committee.

By Mr. Burwell of Hancock—

A bill to amend Section 2632 of the Code as to publication of schedules of freight rates.

Referred to Committee on Railroads.

By Mr. Lawrence of Chatham—

A resolution to authorize the Librarian to purchase certain volumes of Georgia Reports.

Referred to Committee on Public Library

By Mr. Cook of Miller—

A bill to amend the charter of City of Colquitt.

Referred to Committee on Corporations.

By Messrs. Smith, Atkinson and White of Fulton—

A bill to authorize the City of East Point to hold an election for local taxation for public schools.

Referred to Committee on Corporations.

By Mr. Clifton of Lee—

A bill to repeal Section 1065 of the Civil Code of Georgia providing that taxes on mines and plantations on county lines shall be returned in the county with the most improvements.

Referred to General Judiciary Committee No. 1.

By Mr. Bellah of Henry—

A bill to amend an Act creating the office of Commissioners of Roads and Revenues for the County of Henry.

Referred to Committee on Counties and County Matters.

The following Senate bill was withdrawn from the Committee on Education, read the second time and recommitted to said committee, to-wit:

By Messrs. Bynum, DeJarnette and others—

A bill to accept the funds appropriated by Congress under the Act of U. S. Congress, known as the “Smith-Hughes Bill;” to appoint a State Board of Vocational Education.

The following House bill was read the second time and recommitted, to-wit:

By Messrs. Kelley and Green of Gwinnett—

A bill to amend the Drainage Act of 1911.

Recommitted to Committee on Drainage.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Nelms:

Mr President:

I am directed by His Excellency, the Governor, to deliver to the Senate a communication in writing, to which he respectfully invites the consideration of your honorable body.

*To the Western & Atlantic Railroad Commission,
Atlanta, Georgia:*

Gentlemen:

It is a source of regret to me that because of illness following a surgical operation I was unable to make my report to you at the time of the compilation and transmission of your report to the General Assembly I now avail myself of your considera-

tion in reserving to me the privilege of later preparing and submitting my report.

The purpose of this report is not so much to review the work performed during the past year as it is to invite your attention and that of the General Assembly to that which remains to be done in order that the interest of the State in the valuable properties of the Western & Atlantic Railroad may be adequately conserved and protected.

You have in your report pointed out how shortsighted has been the policy of the State in its ownership of its railroad; that in all of its history it has never acquired new properties to meet the expanding needs of transportation, nor has it adequately protected the railroad properties it possessed; and that "for the past fifty years it has been the apparent policy of General Assemblies to lease the road as best could be done and then forget it."

I am deeply impressed with the conviction that a different and more constructive policy must be adopted and followed. The new lease contract affords provisions looking to the safeguarding and extension of the properties of the road, but in order that this may be accomplished it is imperative that some competent authority with power to act, representing the State's interest, should be kept in constant touch with the varying situations. Some of these duties are under the new lease imposed upon the Railroad Commission or such other authority as the State may hereafter appoint. My own view is, that the State should be represented

during the entire term of the new lease by a permanent commission or board of trustees charged with the responsibility and duty of protecting and promoting the State's interest, and vested with power and authority adequate to this end.

In any event it is of the utmost importance that existing adverse uses and occupancies of the State's property should be disposed of.

In the case of the Southern Railway Company vs. The State, 116 Ga. 276, the Supreme Court held that under the present outstanding lease the unconditional right of possession of all of the properties of the Western & Atlantic Railroad is vested in the lessee, and that the State could not in its own name and behalf maintain a suit for the recovery of property adversely held. In view of this decision it is necessary that the present lessee shall join the State in all such proceedings. Since the new lease has been entered into I have conferred with counsel for the new lessee, the Nashville, Chattanooga & St. Louis Railway, and am assured that this company, as the present lessee, will cordially co-operate with the State in freeing the right of way and properties of the road of all adverse uses and encroachments thereon.

The time is therefore opportune for undertaking the accomplishment of the end in view by appropriate action in behalf of the State. Under an Act approved August 4th, 1916, the Western & Atlantic Railroad Commission is vested with full power and authority to deal with and dispose of any and all

encroachments upon and adverse uses and occupancies of any part of the right of way and properties of the Western & Atlantic Railroad; and to this end to finally dispose of all such controversies either by negotiation and settlement or by the institution and prosecution in the name and behalf of the State of such suits and other legal proceedings as it may deem appropriate in protection of the State's interests or the assertion of the State's title. It seems obvious that this work should be instituted and if possible completed before the expiration of the present lease to the end that when the new lease becomes effective the State and the lessee may definitely know the extent of the properties included within the lease. Should the work be postponed until after the expiration of the present lease it may never be accomplished, and at the expiration of the new lease the State may find itself deprived of the use of valuable properties necessary for the free operation of the Western & Atlantic Railroad.

SIMPLE ENCROACHMENTS.

Numerous encroachments upon the right of way and properties of the Western & Atlantic Railroad—exceeding 300 in number—have been ascertained and defined. Many of these are insignificant and will doubtless be discontinued upon proper request. Others are of greater consequence, and some of them will likely require negotiation and action by the Commission or the employment of legal process for their removal.

Pursuant to authority vested in the Commission,

I caused to be undertaken the work of dealing with these simple encroachments by taking active steps looking to their removal. The Commission was then in the midst of its negotiation looking to a new lease, and thought it best to await that event. Active work in this regard was accordingly suspended.

As above stated, the lessee will now co-operate with the State in disposing of these encroachments, and I recommend that the work be actively resumed, and prosecuted to a conclusion.

ADVERSE OCCUPANCIES.

Among the larger and more important occupancies under claim of right adverse to the State and the lessee are the following:

ATLANTA UNION PASSENGER STATION.

This station was built on the property of the State in the year 1870. The several railroads then entering Atlanta contributed to the construction of the building in the following proportion: Western & Atlantic Railroad, three-tenths; Georgia Railroad, three-tenths; Macon & Western Railroad, two-tenths; Atlanta & West Point Railroad, two-tenths. The building was constructed under an agreement between the parties named, Foster Blodgett acting therein as superintendent of the Western & Atlantic Railroad. Foster Blodgett had no authority to execute any agreement binding upon the State, either as superintendent or otherwise; certainly the agreement was never authorized by the Legislature which alone could part with or encum-

ber the title of the State or permit any other person to acquire an easement in or a lawful right to use the State's property

When acting as Special Attorney for the State in the year 1894, I expressed the opinion that the several railway companies contributing to the expense of the construction of this building acquired a license to use it for the purposes intended only so long as the State did not object. I expressed the further opinion that the State might at any time, after reasonable notice, revoke the license of either or all of such companies, subject to the proviso that upon an equitable accounting it should be made to appear that the particular company had received in the value of the use full compensation for its expenditures on account of construction and maintenance of the building.

By resolution approved December 18th, 1899, the Legislature revoked the license of the Georgia Railroad, the Atlanta & West Point and the Central of Georgia Railway (the successor of the Macon & Western Railroad) to use and occupy the depot, and directed the Attorney-General and the then Special Attorney of the State to take the necessary steps to carry that resolution into effect. Before anything was done pursuant to this resolution the Central of Georgia Railway and the Atlanta & West Point Railroad withdrew from the use of the station, and have made no claim to any further right or interest therein. The Georgia Railroad continues to occupy the station and claims an interest in the building or its use.

After fully reviewing the facts and authorities I am confirmed in the conclusion, and am of the opinion that the Georgia Railroad has not acquired any right or easement either in the land or the building other than the right to use the depot for passenger railway purposes so long as the State acquiesced therein. The State by the resolution above referred to has expressed its disapproval of this use by the Georgia Railroad, and has revoked the license theretofore existing.

The General Counsel of the Georgia Railroad has been advised of my opinion, but apparently does not concur therein. Ordinarily the proper course would be for the Commission to take appropriate action to cause the discontinuance of this adverse use, but before doing so the intercorporate relations of the lessee and the other railway companies using the passenger station should be considered.

The Georgia Railroad is held and operated under a long term joint lease by and in the interest of the Atlantic Coast Line Railroad Company and the Louisville & Nashville Railroad Company. The Atlantic Coast Line Railroad Company in effect owns and controls the Louisville & Nashville Railroad by reason of the ownership of the majority of its stock; while in turn the Louisville & Nashville owns a majority of the stock of the Nashville, Chattanooga & St. Louis Railway, and is therefore in position to dominate its policy. In view of this situation it is manifestly to the interest, and doubtless will be the desire, of the Louisville & Nashville Railroad and the Nashville, Chattanooga & St. Louis Railway to

permit the Georgia Railroad to continue its use of the union passenger station. It is not at all improbable that the passenger terminals at Atlanta may be reconstructed and radically changed within the next few years. Under the new lease contract the Nashville, Chattanooga & St. Louis Railway, as lessee, will doubtless have the right to grant to the Georgia Railroad the use of this passenger terminal. Notwithstanding this it is my opinion that the Georgia Railroad should be required to disclaim any title adverse to the State, either in the building or the ground upon which it stands.

STRIP SOUTH OF THE ATLANTA UNION STATION.

I have heretofore submitted a report and opinion to the Commission concerning the ownership of the strip of land south of the Union Passenger Station in the City of Atlanta now occupied by the tracks and used in connection with the Western & Atlantic Railroad. In that report I traced the history of the State's acquisition of its title to the State Square, which included the strip under consideration. I caused abstracts of properties to be made, obtained and reviewed records of the proceedings resulting in the settlement with the Mitchell heirs in 1870, and assembled other facts and data which are fully set forth in the report referred to. I arrived at the conclusion, which I still entertain, that the State has title to all of this strip. Owners of the adjoining property, however, claim title to or the right to use portions of this property.

Without now discussing the nature and merits of

these claims, I recommend that the matter be taken up, and the rights of the State therein be asserted and protected.

THE SOUTHERN RAILWAY COMPANY.

The Southern Railway Company adversely occupies and uses a very considerable portion of the right of way of the Western & Atlantic Railroad in and near the City of Atlanta. This occupation is maintained by the Southern Railway Company under claim of right as the purchaser of the properties of, and therefore the successor in title to, the old Georgia Pacific Railroad Company.

The Georgia Pacific Railroad Company, claiming authority therefor under certain Acts of the Legislature and Executive Orders, built its road on the right of way of the Western & Atlantic Railroad beginning at Simpson Street in the City of Atlanta, and extending thence to a point something less than six miles from the Union Station, a total distance of 17,700 feet. This use of the right of way very seriously affects the free and efficient operation of the Western & Atlantic Railroad into and out of Atlanta.

An Act approved December 20th, 1860 (Acts of 1860, page 193), authorized the Governor to grant to the Georgia Western Railroad the right to build its railroad on the right of way of the Western & Atlantic Railroad within or adjacent to the City of Atlanta, or if expedient, to any distance east of the Chattahoochee River, on the same conditions as the grant therefore authorized to the Dalton & Gads-

den Railroad, provided, that the privileges of the right of way shall not extend beyond one mile from the depot in the City of Atlanta, and that said railroad shall pay so much for the use of the right of way as the Governor may deem right and proper for the interests of the State. By Act of 1859 (page 313), the Governor was authorized to grant to the Dalton & Gadsden Railroad Company the right to construct and build their railroad for a short distance on the right of way of the Western & Atlantic Railroad on the condition that the Dalton & Gadsden should grant a similar privilege to the Western & Atlantic, provided, such grant be not in the opinion of the Governor incompatible with the public interest. By an Act approved December 11th, 1866 (page 127), the Governor was authorized to grant to the Georgia Western Railroad the right to construct its road on the right of way of the Western & Atlantic for four miles from the depot in the City of Atlanta.

August 23rd, 1872 (Acts of 1872, page 337), an Act was approved which provided that the Georgia Western Railroad Company "be and they are hereby authorized and empowered to construct their road on the right of way of the Western & Atlantic Railroad within and adjacent to the City of Atlanta, to any distance east of the Chattahoochee River; provided, that the right of way of the Western & Atlantic shall not be used beyond the limits now allowed by statute, except by the written consent of the lessees of the Western & Atlantic Railroad."

Nothing appears to have been done by the Geor-

gia Western Railroad Company pursuant to these several Acts of the Legislature. Subsequently in 1881 the Georgia Pacific Railroad Company acquired the property and property rights of the Georgia Western, and became its legal successor. Shortly thereafter, on August 6th, 1881, an Executive Order was issued granting to the Georgia Pacific Railroad Company the privilege of building its road on the right of way of the Western & Atlantic Railroad for a distance not to exceed four miles from the union depot in Atlanta upon the condition, among others, that the occupation and use of the right of way by the Georgia Pacific Railroad should be so exercised as to cause the least possible interference with the use and operation of the Western & Atlantic Railroad. The order fixed the amount of \$1,000 to be paid by the Georgia Pacific Railroad for the privilege granted.

This matter became the subject of consideration by Hon. W. A. Little upon his appointment as Special Attorney for the Western & Atlantic Railroad in the year 1893. The use was then being maintained by the Georgia Pacific. Judge Little arrived at the conclusion and expressed the opinion that the occupation and use of the right of way of the Western & Atlantic Railroad as then maintained by the Georgia Pacific Railroad was not authorized by law. (Little's Report 1893, pages 28-34.)

When in 1894 I succeeded Judge Little as Special Attorney, I gave further consideration to the subject, and concurred in the opinion of Judge Little that the State had granted merely a privilege or

license to the Georgia Pacific Railroad, and that the character and extent of the use and occupancy of the right of way as then existing was not authorized by law. In the meantime the Southern Railway Company became incorporated and acquired by purchase the properties of the Georgia Pacific Railroad.

Briefly stated, my opinion is that whatever right may have been acquired by the Georgia Pacific under the Acts of the Legislature and the Executive Order referred to, it did not extend to the use of the right of way of the Western & Atlantic Railroad beyond four miles from the Union Depot in Atlanta, and was limited to such use as would enable the Georgia Pacific to enter Atlanta with the least possible interference with the free operation of the Western & Atlantic Railroad. The present use and occupancy maintained by the Southern Railway is not so limited. For a part of the way double tracks have been laid, a much heavier burden has been imposed than was authorized, and the free operation of the Western & Atlantic Railroad is accordingly restricted.

I recommend that an effort be made by the Commission to reach a satisfactory adjustment and settlement with the Southern Railway; and that if this cannot be accomplished that suit be brought in order to define and determine what, if any, right the Southern Railway Company has in and to this use and occupancy.

Belt Railroad. A considerable part of the right

of way of the Western & Atlantic Railroad near the stock yards in and adjacent to the City of Atlanta is encroached upon and used by the belt railroad now belonging to the Southern Railway. Altogether the belt railroad has 950 feet of single track and 500 feet of double track upon the right of way of the Western & Atlantic Railroad.

There is no legal authority whatever that I can find, after full investigation, for the construction and maintenance of this occupation of the State's property.

It is at least doubtful whether any legal authority existed for the original construction of this belt railroad. Section 10 of the General Railroad Act of September 27th, 1881, provides that any railroad organized under the laws of this State may build branch roads from any point on its line by resolution of its board of directors designating the route proposed, and by filing a certified copy of such resolution in the office of the Secretary of State. In view of the authority supposed to have been thus acquired, the Georgia Pacific Railroad on September 18th, 1882, filed in the office of the Secretary of State a resolution adopted by its board of directors providing for the building of a branch road from a point about three miles from the Union Depot in Atlanta to a point on the Atlanta & Charlotte Air Line Railroad about six miles distant from the Union Depot. By virtue of this supposed authority the Georgia Pacific constructed, maintained and operated a belt railroad between the points designated

partly over and upon the right of way of the Western & Atlantic Railroad.

In the case of the City Council of Augusta vs. Port Royal & Augusta Railroad Company, 74 Ga. 658, the Supreme Court held that Section 10 of the Act above referred to applied only to railroad companies organized under that Act. The Georgia Pacific Railroad Company was incorporated prior to the passage of the Act, and hence under the authority cited acquired no legal right to build and operate a belt railroad by complying with the requirements of Section 10.

However this may be, it seems certain that no legal authority exists for the use and occupation of the right of way of the Western & Atlantic Railroad. It is therefore my opinion that the Southern Railway Company is without lawful right to such use and occupation.

Not only is this occupancy by the belt railroad prejudicial to the right and interest of the State, but its continued operation impairs the free and convenient use of the Western & Atlantic Railroad. I therefore recommend that steps be taken for a determination of this controversy by negotiation or by legal proceedings.

At and Near Dalton. The Southern Railway Company, claiming as successor in title to the old Dalton & Gadsden Railroad Company, maintains and operates tracks upon the Western & Atlantic Railroad from the City of Dalton to a point about seven miles south therefrom. This occupation was

made the subject of careful examination and report when I was Special Attorney, and suit was filed in behalf of the State for its removal. Shortly thereafter I retired as Special Attorney, and the litigation was conducted by my successor. The lessee of the Western & Atlantic Railroad having failed and refused to join in this suit a demurrer to the bill was sustained by the Supreme Court on the ground that the State was not entitled to possession, and that therefore it could not proceed to recover this property, in the absence of the lessee as a party complainant.

I have again investigated the situation and reviewed the facts, and can find no sufficient authority for the use of this property by the Southern Railway.

An Act approved December 14th, 1859, authorized the Governor to grant to the Dalton & Gadsden Railroad Company the right to construct and build their railroad for a short distance upon the right of way of the Western & Atlantic Railroad; provided, the said Dalton & Gadsden Railroad grant a similar privilege to the Western & Atlantic Railroad; and provided, further, that such grant to said Dalton & Gadsden Railroad Company be not, in the opinion of the Governor, incompatible with the public interest.

I construe the Act to require that the Governor should grant the right by appropriate order defining the character and extent of the occupation, and expressing his opinion that such grant would not be

incompatible with the public interest. No grant of such right seems to have ever been applied for or made. I have searched the records of the Executive office without finding any trace of or reference to any Executive action whatever in this behalf or any application therefor; nor does it appear that any similar privilege has been granted the Western & Atlantic Railroad.

The suit heretofore brought having been dismissed by the Court without prejudice, and the lessee being now willing to join with the State, I recommend that proper action be taken to determine and dispose of this controversy.

SEABOARD AIR LINE RAILWAY AT CARTERSVILLE.

The Seaboard Air Line Railway maintains and operates tracks upon the right of way of the Western & Atlantic Railroad for a distance of about one mile from and leading to the depot at Cartersville. No sufficient authority appears for such occupation. The Cartersville & Van Wert Railroad Company was incorporated under an Act approved December 13th, 1866, with authority "to connect with the Western & Atlantic Railroad at Cartersville, Bartown County." Without other authority therefor the said Railroad Company and its successors laid tracks upon the right of way of the Western & Atlantic Railroad as above indicated. The Seaboard Air Line has acquired by purchase the property originally belonging to the Cartersville & Van Wert Railroad Company and its successors.

The Seaboard Air Line also maintains and uses

a portion of the depot square at Cartersville for its depot and offices. This use of the depot square was acquired under an agreement with the old lessee company, and by its terms was to cease upon the termination of the then existing lease of the Western & Atlantic Railroad. The Seaboard Air Line is therefore without legal right to continue this use.

I therefore recommend that appropriate action be taken for the discontinuance of this use of the right of way and property of the Western & Atlantic Railroad, or that such disposition be made thereof as shall be satisfactory to the State and its lessee. The present use of the property by the Seaboard Air Line greatly interferes with the full and free operation of the Western & Atlantic Railroad.

CINCINNATI SOUTHERN RAILWAY.

By an Act approved October 8th, 1879, the Georgia Legislature granted to the trustees of the Cincinnati Southern Railway the use of that portion of the right of way of the Western & Atlantic Railroad between Boyce Station and Chattanooga lying westerly of a line running parallel with and nine and a half (9 1-2) feet from the center of the track of the Western & Atlantic Railroad. The consideration expressed was that the Cincinnati Southern Railway when completed would become a trunk line of great benefit to the State of Georgia, forming a most important feeder and practically an extension of the Western & Atlantic Railroad.

Shortly thereafter the Cincinnati Southern Railway was leased by The Cincinnati, New Orleans &

Texas Pacific Railway Company. Thereafter the control and management of The Cincinnati, New Orleans & Texas Pacific Railway Company passed to the Southern Railway Company and became such as to defeat the representation made to the State that the Cincinnati Southern Railway would become an important feeder and practical extension of the Western & Atlantic Railroad. On the contrary The Cincinnati, New Orleans & Texas Pacific Railway Company, now a part of the Southern Railway System, had become an active, strong and aggressive competitor with the Western & Atlantic Railroad for the traffic moving between Cincinnati and Atlanta. The State of Georgia was thus deprived of the benefit it reasonably anticipated would flow to it from the representations made at the time the permissive use of its property was granted. It further transpired that the need of the Western & Atlantic Railroad for the use of all of its right of way between Boyce Station and Chattanooga became urgent and imperative in order to adequately accommodate the safe and expeditious handling of traffic in the public interest.

The right of way of the Western & Atlantic Railroad between Boyce Station and Chattanooga has a maximum width of only sixty-six feet; while the Cincinnati Southern Railway owns an adjacent and parallel right of way having a width varying from eighty-five to one hundred and sixty-five feet. The encroachment of the Cincinnati Southern Railway upon the right of way of the Western & Atlantic Railroad is of a uniform width of twenty-six feet

for a distance of about nineteen thousand five hundred feet, so that the Western & Atlantic Railroad is left for its own use only forty feet of its right of way for a distance of more than three and a half miles at and approaching its terminal station at Chattanooga. This narrow strip is utterly inadequate to meet the demands of the Western & Atlantic Railroad for the free and expeditious operations of its trains, and the handling of its traffic.

Influenced by these considerations the General Assembly by an Act approved August 21st, 1916, repealed the said Act of October 8th, 1879, thereby withdrawing and revoking the license and permission to use the State's property as granted in said last mentioned Act. It was, however, provided that the Cincinnati Southern Railway and its lessee, The Cincinnati, New Orleans & Texas Pacific Railway Company, should be permitted to continue the use and occupancy of the property for such a period of time as might be agreed on with the Western & Atlantic Railroad Commission as reasonably necessary for the readjustment and construction of their line of railway between Boyce Station and Chattanooga on property other than that of the State; and it was further provided that in such event the Cincinnati Southern Railway and its lessee should be permitted to remove from the property of the State the tracks, rails, ties, superstructures and other appurtenances placed thereon under the terms of the Act granting them the privilege.

Subsequently, the trustees of the Cincinnati

Southern presented to and filed with the Governor of the State and the Western & Atlantic Railroad Commission their solemn declaration declining to recognize the right of the State to revoke the privilege granted under the Act of 1879, and further declining to avail themselves of the opportunity of making an agreement with the Western & Atlantic Railroad Commission under which they would be permitted to continue the occupancy for a time to be agreed upon within which to readjust and construct their line of railway on property other than that of the State.

In this situation, and acting upon the direction of the Western & Atlantic Railroad Commission, I prepared and tendered to the Supreme Court of the United States a bill in equity in the name and behalf of the State of Georgia praying that the further use and operation of trains by the Cincinnati Southern Railway and its lessee over the said right of way, or any part thereof, be perpetually enjoined upon the ground that such operation constituted a continuing trespass and a constantly recurring grievance. The Supreme Court of the United States upon consideration entered its order permitting the bill to be filed, and directing the defendants to make answer on October 2nd, 1917

This bill invokes and brings into exercise the original jurisdiction of the Supreme Court of the United States, and all further proceedings will be had in that Court, which will hear the case and enter such final decree in the cause as it may determine.

CHATTANOOTA DEPOT GROUNDS.

By deed dated August 17th, 1860, Governor Brown purported to convey to the Nashville & Chattanooga Railway a portion of the original depot grounds belonging to the State of Georgia at Chattanooga, supposed to contain 8.79 acres. The land described and conveyed included one-half of the ground upon which the Union Passenger Station at Chattanooga then stood and now stands, together with valuable street frontage. The deed recites that it was in pursuance of an agreement for an exchange of lands entered into on November 13th, 1855, between the superintendent of the Western & Atlantic Railroad and the Nashville & Chattanooga Railway, which agreement was said to have been ratified by the Governor of Georgia on December 13th, 1855. The consideration recited is \$8,000.00 to be paid into the Treasury of the Western & Atlantic Railroad, and the further consideration that the Nashville & Chattanooga Railway should convey to the State of Georgia a described parcel of land in the City of Chattanooga containing .96 of an acre. The further material facts relating to this subject are set out in the report of the Commission to the General Assembly for the year 1916, beginning at page 28.

In my reports to the Commission I have heretofore discussed this matter, and expressed my opinion that the Governor had no right to convey away this property of the State, and that technically the State is not bound thereby. Without further reviewing the facts or stating my opinion, I beg to say that I concur in the recommendation of the Com-

mission that the General Assembly should now confirm the transaction and finally set at rest the title of the Nashville, Chattanooga & St. Louis Railway.

SEWER THROUGH CHATTANOOGA DEPOT GROUNDS.

Shortly prior to the creation of the Commission the City of Chattanooga constructed a sewer through the depot ground of the Western & Atlantic Railroad in that city. This is claimed to have been done under permission from the lessee company, concurred in by the Governor and the Attorney-General of Georgia. In my opinion the present lease confers no such power upon the Governor and the Attorney-General, and the construction of this sewer is therefore without lawful right. Nevertheless I recommend that the action in constructing this sewer be ratified for the reason that it does not appear to injuriously affect the value of the property for railroad or other purposes, while on the other hand it is a convenience of benefit to the City of Chattanooga.

OLD MONROE EMBANKMENT.

By an Act approved October 25th, 1870, the State authorized the superintendent of the Western & Atlantic Railroad, with the approval of the Governor, to convey in fee simple to the Macon & Western Railroad Company certain property of the State of Georgia near the old roundhouse in the City of Atlanta, in exchange for a conveyance by the said Macon & Western Railroad Company to the Western & Atlantic Railroad of certain lands occupied by its side-track south of its freight depot,

“and in further consideration that the said Macon & Western Railroad Company convey to the Western & Atlantic Railroad the right to occupy its said shop and shed where they now are for the present; but when they are removed or destroyed then the right to use in common with said Macon & Western Railroad Company said land for tracks for the mutual convenience of said railroads, and in consideration of a grant by the Macon & Western Railroad Company to the Western & Atlantic Railroad of the right forever to use in common with the said Macon & Western Railroad said right of way for the purpose and in connection with the said Macon & Western Railroad in the business between the two said railroads.” (Act 1870, page 377.)

Certain deeds were exchanged between the Western & Atlantic and the Macon & Western Railroad Company pursuant to and in execution of the direction and authority of said Act. Records of said deeds are to be found in Book N., page 722, and Book P., page 279, in the office of the Clerk of the Superior Court of Fulton County, Georgia.

On December 21, 1870, a contract was entered into between the said Macon & Western Railroad Company and Foster Blodgett, as superintendent of the Western & Atlantic Railroad, ostensibly for the purpose of carrying into effect the Act of October 25th, 1870.

Thereafter, to-wit, in the year 1901, proceedings were instituted in Fulton Superior Court by the Central of Georgia Railway Company, as successor

of the Macon & Western Railroad Company, against the Western & Atlantic Railroad for the possession and control of the old Monroe embankment. To this suit the State of Georgia became a party defendant.

Under date of September 24th, 1904, the State of Georgia, represented by the then Governor of the State, and the Western & Atlantic Railroad entered into a written contract with the Central of Georgia Railway Company in settlement of the controversy. The agreement was approved in writing not only by the Governor, but also by the Attorney-General and the Secretary of State, subject to ratification by the General Assembly. Under this contract the Central of Georgia Railway Company granted to the State of Georgia a defined portion of the old Monroe embankment in fee simple. The State of Georgia and the Western & Atlantic Railroad relinquished, released and surrendered to the Central of Georgia Railway Company "all rights, claims, easements and demands of every nature and kind which it may have, or may have had, to that portion of the old Monroe right of way not herein conveyed to the State of Georgia, and particularly all its rights under the contract of December 21st, 1870, receiving in place thereof the rights which are granted under this contract." There were further covenants in this contract that need not be here referred to.

It does not appear that the attention of the Legislature of the State has ever been called to this contract, and its ratification invoked. In any event this

contract has never been authorized or approved by the General Assembly of the State, and therefore is not binding upon the State.

Nevertheless after careful consideration I am of the opinion that the contract is proper and desirable from the State's standpoint, and should be ratified. I therefore advise that this Commission recommend to the General Assembly the approval and ratification of said contract.

In addition to the foregoing I should perhaps call the attention of the Commission to other uses of and encroachments upon the right of way of the Western & Atlantic Railroad, some of which are maintained under authority from an agreement with the lessee company.

The Louisville & Nashville Railroad has an underpass under the tracks of the Western & Atlantic Railroad near the Four Mile Post from the Union Station at Atlanta. Whether the State should permit this use to be continued under authority from the lessee is a matter which should be considered and determined.

The Georgia Railway & Power Company maintains an underpass near Bolton which was constructed by the Atlanta Rapid Transit Company, and used in connection with its River line. No authority exists for the construction and use of this underpass. The closing of it, however, would interrupt the operation of the River line of the Georgia Railway & Power Company. Whether a con-

tinuance of its use should be allowed is a matter that this Commission should determine.

The Atlanta, Birmingham & Atlantic Railway Company has laid some of its tracks on and across the right of way of the Western & Atlantic Railroad, and has constructed and uses jointly with the Nashville, Chattanooga & St. Louis Railway a switching tower situated on the property of the State near the Two Mile Post at Bellwood Avenue in the City of Atlanta. The laying of these tracks and the use of the property is under a license from and agreement with the lessee. The Commission should carefully consider the agreement between these parties and determine to what, if any, extent it will be approved.

The Louisville & Nashville Railroad occupies and uses a considerable portion of the right of way of the Western & Atlantic Railroad at Marietta, beginning at Mills Street and extending thence northerly a distance of about one mile. This occupancy is held under an agreement with the lessee, approved by the State, which will cease at the expiration of the present lease, unless sooner terminated by either party upon giving the other party six months' notice in writing.

Under an agreement with the present lessee operative during the term of the present lease the Louisville Railroad Company operates its trains from Junta; near Cartersville, over the tracks of the Western & Atlantic Railroad to Atlanta. The Louisville & Nashville Railroad Company also maintains a track for a distance of about 924 feet upon

the east side of the right of way of the Western & Atlantic Railroad at Junta, and also has a switch or side-track which encroaches upon the right of way of the Western & Atlantic Railroad. This occupation is had under a license or permit from the lessee Company, which specifically provides that it shall not extend beyond the expiration of the present lease.

The Rome Railroad, now owned by the Nashville, Chattanooga & St. Louis Railway, has 711 feet of its main track, and 800 feet of side-track on the depot square belonging to the State at Kingston. No claim to this property adverse to the title of the State is made by the Nashville, Chattanooga & St. Louis Railway.

COMPENSATION OF COUNSEL.

The Act creating the Commission contemplates that the counsel named should be compensated for his services by a salary to be fixed by the Commission. The Commission fixed this salary at \$5,000.00 for the calendar year 1916. The situation now is such that it would seem to be more equitable that counsel should in the future be paid upon a basis of *quantum meruit*, that is to say, a modest salary by way of retainer to cover advice and ordinary services to the Commission in the conduct of its current business, and the payment of such fees in litigated cases and for other special legal services as the Commission may deem just and reasonable.

In dealing with the simple encroachments a considerable amount of field work will be required. I

think this part of the work may be efficiently and perhaps more economically performed by the secretary of the Commission under the direction of counsel, and I accordingly so recommend. Should this recommendation be concurred in by the Commission and adopted by the General Assembly it would be proper to make provision for the secretary's salary having this work in view, as well as other services he will be expected to perform.

As stated in your report to the Commission, nothing has been paid counsel for his services since December 31st, 1916. At that time it appeared that the unexpended balance of the appropriation would be hardly more than sufficient to meet the current expenses of the Commission for the succeeding six months as has indeed transpired to be the case. In this situation I preferred to let the matter of my salary await the expiration of the period, and to then ask the Commission to recommend to the General Assembly the payment of such compensation for my services during that time as the Commission deemed to be reasonable and just. I now invite your consideration of this matter, and ask that you will now fix the amount of such compensation upon either a salary basis or that of *quantum meruit*, and recommend to the General Assembly an appropriation to meet its payment.

LEGISLATIVE ACTION RECOMMENDED.

1. The Commission is now vested with ample authority to deal with and dispose of, either by negotiation and settlement or by the institution and

prosecution of legal proceedings, all encroachments and adverse uses and occupancies on the right of way and properties of the Western & Atlantic Railroad. No further legislation in this regard is therefore required other than to provide the necessary funds for the proper prosecution of the work.

2. I concur in the recommendation of the Commission that the deed of Governor Brown executed in 1860 conveying a portion of the Chattanooga depot grounds to the Nashville & Chattanooga Railway be now ratified and confirmed.

3. The sewer having been constructed by the City of Chattanooga through the depot grounds in that city under authority from and with the approval of the Lessee Company and the Governor and Attorney-General of this State, I recommend that this action be ratified and confirmed.

4. The agreement entered into by the Governor in behalf of the State and by the Lessee Company with the Central of Georgia Railway Company in settlement of the controversy concerning the old Monroe embankment appears to be a fair adjustment in the interest of the State. I therefore recommend that it be ratified and confirmed.

Respectfully submitted,

WILLIAM A. WIMBUSH, Counsel.

The following House resolution was taken up for a third reading, to-wit:

By Mr. Ballard of Newton—

A resolution to allow the Covington Street Railway to surrender its charter.

The report of the committee, which was favorable to the passage of the resolution, was agreed to.

On the passage of the resolution the ayes were 29, nays 0.

The resolution, having received the requisite constitutional majority, was passed.

The following resolution of the House was taken up and adopted, to-wit:

By Mr. Akin of Glynn—

A resolution urging the United States Government to erect fortifications for the protection of City of Brunswick.

The following House bills were taken up for a third reading to be put upon their passage, to-wit:

By Mr. Shannon of Twiggs—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for County of Twiggs.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Middleton of Early—

A bill to modify the procedure in the City Court of Blakely.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Carter of Bacon—

A bill to provide for two terms of the Superior Court of Bacon County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Bowers of Thomas—

A bill to amend an Act creating a Board of Commissioners of Roads and Revenues for the County of Thomas.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 28, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Giddens of Thomas—

A bill to provide for the appointment of Bond Commissioners for the Town of Adel.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Messrs. Jones and Staten of Lowndes—

A bill to amend an Act establishing the City Court of Valdosta.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Kimzey of Habersham—

A bill to authorize the Ordinary of Habersham County to use convicts, etc., to repair streets in the towns in said county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Ballard of Newton—

A bill to place the Treasurer of Newton County on a salary.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Harris of Walker—

A bill to amend the charter of the City of LaFayette.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Key of Jasper—

A bill to amend an Act creating the Board of County Commissioners of Jasper County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Ballard of Newton—

A bill to amend an Act creating the office of the Commissioner of Roads and Revenue for Newton County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Carter of Bacon—

A bill to authorize the Ordinary of Bacon County to collect a special road tax.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Harden of Banks—

A bill to fix rate of one dollar per day for commutation road tax in Banks County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Harvin of Calhoun—

A bill to amend the charter of the Town of Arlington.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Hardin of Glascock—

A bill to amend an Act creating a new charter for the Town of Gibson.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Woods and Brinson of Emanuel—

A bill to repeal the charter of the Town of Oak Park.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Adams and Jones of Elbert—

A bill to regulate the sale of seed cotton in Elbert County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. **Bond of Franklin**—

A bill to abolish the City Court of Franklin County.

The following amendment was read and adopted, to-wit:

By Mr. **Skelton**—

Amend by adding the following as Section Two:

“Be it further enacted by the authority aforesaid, That all business, both civil and criminal, now pending in said City Court be transferred for trial and final disposition to the Superior Court of said County, and the judge of the City Court of Franklin County, and the clerk thereof are hereby directed to turn over all papers in all civil and criminal cases pending in said City Court to the clerk of the Superior Court of Franklin County. This Section is not to become effective if the Act creating the City Court of Franklin County should be adopted by the voters of Franklin County at an election to be held on the 15th day of November, 1917.”

Amend Section Two by striking the figure “2” in the repealing clause of said Act and insert the figure “3.”

The report of the committee, which was favorable to the passage of the bill, was agreed to, as amended.

Upon the passage of the bill the ayes were 29 and nays 0.

The bill, having received the requisite constitutional majority was passed, as amended.

The following House resolution was read the second time and adopted, to-wit:

By Mr. Akin of Glynn—

A resolution to urge the U. S. Government to utilize the navy yard site on Blythe Island and the harbor of Brunswick.

The following House resolution was read the third time and passed, to-wit:

By Mr. Roberts of Echols—

A resolution authorizing the State Librarian to furnish certain books to the officials of Echols County.

The report of the committee, which was favorable to the passage of the resolution, was agreed to.

On the passage of the resolution the ayes were 29, nays 0.

The resolution having received the requisite constitutional majority was passed.

House Bill No. 320 was recommitted to the Committee on General Judiciary No. 2.

The following Senate Bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Wohlwender—

A bill to provide for the appointment of a Deputy Clerk of the Court of Appeals.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 29 and nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate Bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Mundy—

A bill to provide for supplying the officers of the

State of Georgia with Park's Annotated Reprint of the Code of Georgia.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 31 and nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate Bills were taken up for a third reading to be put upon their passage, to-wit:

By Messrs. Andrews and Beauchamp—

A bill to prevent any person, firm, etc., within this State from using the flag or national emblem of the United States for the purpose of advertising or desecration.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Beck—

A bill to amend Section 3 of an Act approved Aug. 18th, 1916, providing for a Normal College at Valdosta.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed:

By Mr. Andrews—

A bill to amend an Act approved Aug. 20th, 1906, to establish a Board of Lights and Waterworks for the City of Marietta.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Logan—

A bill to authorize the County of Banks to construct bridges, etc., on public highways, with county convict labor.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate Bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Bynum—

A bill to amend Section 1 of an Act, to give consent by the State of Georgia to the acquisition by the United States of such lands as may be needed for the establishment of a National Forest Reserve in said **State**.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate resolution was read the second time, and adopted, to-wit:

By Mr. Townsend—

A joint resolution providing for the creation of a special commission of three (3) citizens of Georgia, to investigate and report to the next session of the General Assembly, upon the extension of the Western and Atlantic Railroad to the sea.

The following Senate bill was taken up, to-wit:

By Mr. McCurry—

A bill to fix the monthly salary of the clerk in the pension office at \$150.00 per month.

The following amendment was read and adopted:

By Mr. Dukes—

Strike the sum of \$150.00 wherever the same appears, and insert the words \$125.00 in lieu thereof.

The report of the committee, which was favorable to the passage of the bill, was agreed to, as amended.

The bill was read the third time and upon its passage, as amended, the ayes were 31 and nays 2.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Messrs. Andrews and Price—

A bill to relieve the property of tax-receivers of this State from any lien prior to the execution against them for the payment of any taxes collected by them and for the failure of any official duty.

Mr. Andrews offered a substitute to the above bill which was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to, by substitute.

Upon the passage of the bill, by substitute, the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Field, Alonzo.	Moore, J. B.
Beck, E. H.	Gilmore, George.	Odom, J. C.
Blackwell, F. M.	Heath, E. V.	Peacock, D. Roscoe.
Brown, T. A.	Hendricks, W. H.	Price, H. H.
Bynum, T. L.	Hopkins, H. W.	Redwine, C. D.
Carswell, Geo. H.	Hullender, W. C.	Riner, M. T.
Council, M. B.	Humber, R. T., Jr.	Skelton, J. H.
Davison, James.	Kirby, J. T.	Stevens, C. O.
DeJarnette, H. R.	Leonard, R.	Weaver, W. F.
Dykes, J. R.	Logan, J. B. G.	Wohlwender, Ed.
Edwards, Chas. H.	Merry, H. H.	Yeoman, Sol. J.

Those voting in the negative were Messrs.—

Denny, R. A.	Ficklen, Boyce.	Townsend, S. C.
Dukes, J. P.	Loftin, Frank S.	

Those not voting were Messrs.—

Dickerson, R. G.

Ayes 36; nays 5.

The bill having received the requisite constitutional majority was passed by substitute.

The following message was received from His Excellency, the Governor, through his Secreary, Mr. Nelms:

Mr. President:

I am directed by His Excellency, the Governor, to deliver to the Senate a sealed communication to which he respectfully invites the consideration of your honorable body in executive session.

The following Senate resolution was taken up and adopted, to-wit:

By Mr. Dukes—

A resolution providing for the appointment by the Governor of a commission of seven members, who shall be authorized to represent the State of Georgia in securing necessary data as to the advisability of building State owned wharves and docks and to furnish recommendations as to location of same.

The following Senate resolution was taken up and adopted, to-wit:

By Mr. Dukes—

A resolution providing for the appointment by the Governor of a commission of five citizens of the State, which commission shall be authorized to confer and take up with the State of South Carolina and the U. S. Government the proposition of constructing bridges across the Savannah River between the City of Augusta and the Atlantic Ocean.

The following Senate bill was taken up for a third reading and tabled, to-wit:

By Messrs. Elders, Field and others—

A bill to regulate the compensation of sheriffs and their lawful deputies.

The following Senate bills were read the second time, to-wit:

By Mr. Redwine—

A bill to amend the charter of the City of Griffin.

By Mr. Hendricks—

A bill to create the office of County Treasurer of Tift County.

The following House bills and resolution were read the second time, to-wit:

By Mr. Shannon of Twiggs—

A bill to provide for holding two terms a year of Superior Court of Twiggs County.

By Mr. Lankford of Toombs—

A bill to amend an Act to establish a system of public schools for the City of Vidalia.

By Messrs. Morris and Cheney of Cobb—

A resolution to authorize the Commissioners of Roads and Revenues of Cobb County to use certain funds.

By Mr. Maynard of Wilcox—

A bill to amend an Act to establish a system of public schools for the Town of Abbeville.

By Messrs. Ayers and Holder of Jackson—

A bill to establish a system of public schools in the Town of Braselton.

By Mr. Stewart of Coffee—

A bill to abolish the present executive committees of political parties in the County of Coffee.

By Mr. Clements of Irwin—

A bill to amend the Act of Aug. 8th, 1913, establishing a public school system in the City of Ocilla.

Upon motion of Mr. Heath the Senate voted to hold an afternoon session to meet at 3 o'clock.

The session of the Senate was upon motion extended for the purpose of going into executive session.

Senate Bill No. 80 was ordered immediately transmitted to the House.

The Senate went into executive session at 1 o'clock P. M.

The Senate took a recess until 3 o'clock P. M.

SENATE CHAMBER, 3 o'clock P. M.

The Senate reconvened and was called to order by the President.

By unanimous consent the call of the roll was dispensed with.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Moore—

A bill to require commission merchants, persons,

firms or corporations, who sell agricultural products on a commission basis to make sworn statements or reports of sale, to whom sold, etc.

Mr. Bynum offered the following substitute, to-wit:

A BILL

To be entitled an Act to regulate the business of general wholesale dealers in farm produce, to fix license for the carrying out of said business and to provide for the revocation of this license and for the penalty for any violation of this Act; to prevent fraud in the selling and handling of farm produce, and to provide for punishment of such fraud; to provide for the collection of license fees and for disbursement of such license money, and for other purposes.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That before engaging in the business of a general wholesale dealer of farm produce in this State, every person, firm, exchange, association or corporation shall obtain from the Commissioner of Agriculture a license to engage in such business, the application for such license shall be in writing on such blank forms as may be required by the Commissioner of Agriculture. Such applications amongst other matters shall contain statements of the names, addresses and ages of the applicant for the members of such applicant's firms and such appropriate statements as may be required

by said Commissioner of Agriculture, as to the financial standing of such applicant, the length of time said applicant has been engaged in such business, the character of such farm produce as such applicant intends to deal in, location of his principal place of business and other branch places of business, and the names of the officers of applicant, if it be a corporation or an association. If the Commissioner of Agriculture approves said application, the applicant shall enter into a good and sufficient bond in the sum of \$1,000.00 payable to the Commissioner of Agriculture, or his successors in office, in order that the principal therein named shall honestly conduct said business and pay over to the consignor any goods received by him or any proceeds of sales of farm produce sold for account of such person and to otherwise conduct his business according to the provisions of law. Said bond shall be filed and duly recorded in the office of the Secretary of State. A copy of said bond, duly certified by the Secretary of State, shall be received as evidence in all of the courts of this State, without further proof. Any person having a right of action against any such general wholesale produce dealer may bring suit against the principal and sureties of said bond; and successive suit or suits of a similar nature and character may be brought on said bond until payment thereof is obtained. Any such suit or suits shall be governed by the general laws of this State. In such cases, unless said dealer shall execute a new bond, it shall be the duty of the Commissioner of Agriculture to cancel his or its license

and give him due notice of such fact, and thereafter it shall be unlawful for said general wholesale produce dealer to engage in such business without first obtaining a new license.

SEC. 2. Be it further enacted by the authority aforesaid, That the term general wholesale produce dealer as herein used shall include persons, firms, exchanges, associations and corporations who do a general business of buying and selling farm produce at wholesale, including brokers, commission merchants, and does not include retail merchants or retail dealers. The term farm produce shall include all agricultural, horticultural, vegetable, and fruit products of the soil, poultry, eggs, dairy products, nuts, honey, and the like, but shall not include timber products, floricultural products, tea or coffee.

SEC. 3. Be it further enacted by the authority aforesaid, That for any liability which any consignor of farm produce may have against such general wholesale produce dealer, either for the price of said farm produce or any balance due thereon or for any loss of price in the sale thereof by any person of any false or fraudulent representation made by said dealer to owner or consignor of said produce, the said owner or consignor of the same shall have the right of action as hereinbefore provided against the said produce dealer and the sureties of said bond.

SEC. 4. Be it further enacted by the authority aforesaid, That the Commissioner of Agriculture, or his assistants, shall have power to investigate, upon

the verified complaint of any interested person, also to make an investigation irrespective of whether or not a complaint is filed, the record of any person, firm, exchange, corporation or association applying for license, or any transaction involving the solicitation, receipt, sale, or attempted sale of farm produce, the failure to make proper and true accounts and settlements at prompt and regular intervals, the making of false statements as to conditions, quality or quantity of goods received, or while in storage, the making of false statements as to market conditions, with intent to deceive, or the failure to make payment for goods received or other alleged injurious transactions, and for such purpose may examine, at the place of business of the licensee, that portion of the ledgers, books of accounts, memoranda or other documents, relating to the transactions involved, of any such wholesale produce merchant, and may take testimony therein under oath. When a consignor of farm produce fails to obtain satisfactory settlement in any transaction, after having notified the consignee, a certified complaint may be filed at the expiration of ten days after such notification with the Commissioner of Agriculture. The Commissioner of Agriculture shall attempt to secure an explanation or adjustment; failing this, within seven days he shall execute a copy thereof, together with notice of the time and place for a hearing of such complaint, to be served personally, or by mail upon such produce merchant. Such service shall be made at least seven days before the hearing, which shall be held in the city,

village or township in which is situated the place of business of the licensee. At the time and place appointed for such hearing, the Commissioner or his assistants shall hear the parties to such complaint, shall have power to administer an oath, and shall enter in the office of the Commissioner of Agriculture at Atlanta, Georgia, a decision on such complaint, specifying the facts which he deems established on such hearing.

SEC. 5. Be it further enacted by the authority aforesaid, That the Commissioner of Agriculture may decline to grant a license or may revoke a license already granted where he is satisfied of the existence of the following cases or any of them: (a) Where a money judgment has been entered against such produce merchant and upon which execution has been returned unsatisfied. (b) Where false charges have been imposed for handling or services rendered. (c) Where there has been a failure to account promptly and properly or to make settlements with intent to defraud. (d) Where there have been false statements as to what conditions, quality or quantity of goods received or held for sale when the same might be known on reasonable inspection. (e) Where there has been false or misleading statement or statements as to market conditions with intent to deceive. (f) Where the produce merchant is in bankruptcy or insolvency. (g) Where there has been a combination or combinations to fix prices. (h) Where there has been a continued course of dealing of such nature as to satisfy the Commissioner of the inability to properly conduct the busi-

ness of produce merchant, or of intent to deceive or defraud shippers. (i) Where a licensee has been guilty of fraud or deception in obtaining his license. (j) Where the licensee neglects to file a new bond when notified by the Commissioner that the bond already filed is unsatisfactory.

SEC. 6. Be it further enacted by the authority aforesaid, That the action of the Commissioner of Agriculture in refusing to grant a license, or in revoking a license granted under this Article, shall be subject to a review by a writ of certiorari in the Superior Court of county in which applicant for license resides. The service of such writ shall be evidenced by waiver thereof or entry of service by sheriff, or his deputy, of Fulton County, Georgia, and if such proceedings are begun, until the final determination of the proceedings and all appeals therefrom, the license of such produce merchant shall be deemed in full force and effect, provided the fee for such license shall have been paid and a bond given as herein required.

SEC. 7 Be it further enacted by the authority aforesaid, That every general wholesale produce dealer shall, upon receipt of farm produce and as he handles and disposes of the same, make a record thereof, specifying the name and address of the consignor, the date of receipt, the kind and quality of such produce, the amount of goods sold, the date of sale, the price received, the name and address of the person to whom the goods are sold, and the item of expense connected therewith; and payment

shall be mailed to the consignor unless otherwise agreed, within seven days after sale. The wholesale produce dealer shall retain on his books the foregoing record, provided for in this section, for a period of one year, and the same shall be open to inspection of the Commissioner of Agriculture, or his agents. The burden of proof shall be upon the produce dealer, to show the correctness of his accounting as to any transaction which may be questioned.

SEC. 8. Be it further enacted by the authority aforesaid, That any person, firm, exchange, association, or corporation who does a general wholesale, and who shall receive or offer to receive, sell or offer to sell within this State, any kind of farm produce, without a license except as in this chapter permitted, and any person, firm, exchange, association or corporation, who being such general produce merchant in farm products, shall (a) impose false charges for handling or services in connection with farm produce, or (b) fails to account for such farm produce promptly and to make settlement therefor, with intent to defraud, or (c) shall make false or misleading statement or statements as to market conditions with intent to deceive, or (d) enter into any combination or combinations to fix prices, or (e) any person, consignee or consignor handling, shipping or selling farm produce who shall make a false statement as to grade conditions, markings, quality or quantity of goods shipped or packed in any manner, with intent to deceive, or (f) shall fail to comply in every respect herewith, or (g) shall ad-

vertise or hold one's self out as such produce merchant in farm produce without a license shall be guilty of a misdemeanor.

SEC. 9. Be it further enacted by the authority aforesaid, That the price of said license shall be \$25.00 per annum and shall be payable in advance on the first day of January of each year, and shall be paid the Commissioner of Agriculture, and the license for the calendar year shall become due and payable thirty days after the approval of this Act.

SEC. 10. Be it further enacted by the authority aforesaid, That it shall be unlawful for any person to engage in the said produce business in this State, as herein defined, without first taking out and paying for a license as herein provided.

SEC. 11. Be it further enacted by the authority aforesaid, That moneys coming into the hands of the Commissioner of Agriculture under the provisions of this Act shall be deposited in State treasury and applied by him, so far as may be necessary, to carry out said provisions. Vouchers shall be kept showing how same may be expended.

SEC. 12. Be it further enacted by the authority aforesaid, That any person violating any provisions of this Act shall be guilty of a misdemeanor, and, upon conviction therefor, shall be punished as the law provides the punishment for the offense of misdemeanors.

SEC. 13. Be it further enacted by the authority aforesaid, That this Act shall take effect immediately, and all laws, and parts of laws in conflict

with the provisions of this Act be and the same are hereby repealed.

Upon the adoption of the substitute the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Davison, James.	Kirby, J. T.
Beauchamp, J. C.	Elders, H. H.	Leonard, R.
Beck, E. H.	Field, Alonzo.	Loftin, Frank S.
Blackwell, F. M.	Gilmore, George.	Peacock, D. Roscoe.
Brown, T. A.	Hendricks, W. H.	Redwine, C. D.
Bynum, T. L.	Hopkins, H. W.	Skelton, J. H.
Carswell, Geo. H.	Mollender, W. C.	Stevens, C. O.
Council, M. B.		

Those voting in the negative were Messrs.—

Dickerson, R. G.	Merry, H. H.	Townsend, S. C.
Edwards, Chas. H.	Mills, Joe Brown.	Weaver, W. F.
Ficklen, Boyce.	Moore, J. B.	Wohlwender, Ed.
Heath, E. V.	Riner, M. T.	Yeoman, Sol. J.
Logan, J. B. G.		

Those not voting were Messrs.—

DeJarnette, H. R.	Dykes, J. R.	Odom, J. C.
Denny, R. A.	Hamber, R. T., Jr.	Price, H. H.
Dukes, J. P.		

Ayes 22; nays 13.

The substitute was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to, by substitute.

Upon the passage of the bill by substitute, the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Edwards, Chas. H.	Moore, J. B.
Beauchamp, J. C.	Elders, H. H.	Peacock, D. Roscoe.
Beck, E. H.	Field, Alonzo.	Redwine, C. D.
Blackwell, F. M.	Gilmore, George.	Riner, M. T.
Blawn, T. A.	Hendricks, W. H.	Skelton, J. H.
Bynum, T. L.	Hopkins, H. W.	Stevens, C. O.
Carswell, Geo. H.	Hullender, W. C.	Townsend, S. C.
Davison, James.	Kirby, J. T.	Weaver, W. F.
Dickerson, R. G.	Leonard, R.	Wohlwender, Ed.
Dukes, J. P.	Loftin, Frank S.	Yeoman, Sol. J.
Dykes, J. R.		

Those voting in the negative were Messrs.—

Council, M. B.	Heath, E. V.	Merry, H. H.
Ficklen, Boyce.	Logan, J. B. G.	Mills, Joe Brown.

Those not voting were Messrs.—

DeJarnette, H. R.	Humber, R. T., Jr.	Price, H. H.
Denny, R. A.	Odom, J. C.	

Ayes 31; nays 6.

The bill having received the requisite constitutional majority was passed, by substitute.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Messrs. Elders, Field and others—

A bill to regulate the compensation of the sheriffs of this State and their lawful deputies.

The report of the committee, which was favorable to the passage of the bill, by substitute, was agreed to.

Upon the passage of the bill, by substitute, the ayes were 29 and nays 0.

The bill having received the requisite constitutional majority was passed, by substitute, and the substitute is as follows, to-wit:

A BILL

To be entitled an Act to regulate a compensation of the sheriffs of this State and their lawful deputies, and to provide such an amendment in the existing law with reference to the compensation of sheriffs and their lawful deputies of this State, and for other purposes.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by the authority of the same, That from and after the passage of this Act, Section 5997 of the Code of Georgia of 1910 be and the same is hereby repealed, and the following enacted in lieu thereof:

Section 5997 Fees for sheriffs and their deputies. The sheriffs of this State and their lawful deputies shall be entitled to charge and collect the following fees for official duty performed by them, to-wit:

For serving copy of a process and returning original per copy	. \$ 3.00
If suit from another county, to be paid in advance	3.00
For summoning jury and attending trial to assess damages for right of way	5.00
For services in every case before a jury	2.00
For search and return of nulla bona.	1.00
For serving summons of garnishment or rule against garnishee	2.00
If for more than one, for each additional copy	1.00
For summoning jury to try case of nuisance.	3.50
For summoning jurors at each term of each and	

any court of record of this State \$10.00, said \$10.00 being the compensation for the summoning of each jury, provided, that in summoning jurors for coroner's inquest and for summoning jurors for the trial of insane persons, the compensation shall be the same as heretofore provided.

For commissions on sales of property on sums of \$50.00 or less 5 per cent; on excess above \$50.00 up to \$550.00 $2\frac{1}{2}$ per cent., for all sums exceeding \$550.00, on excess, $1\frac{1}{4}$ per cent.

No commissions shall be charged unless property is actually sold.

For making out and executing titles to land..	\$ 3.50
If presented by purchaser	10.00
For executing bill of sale to person.	10.00
Property when demanded by purchaser	1.00
For forthcoming bonds	1.00
For executing process against tenant holding over, or intruder upon land to dispossess him.	3.50
For taking and returning counter affidavit when summary process to dispossess tenant or intruder is resisted	3.00
For settling each execution in his hands, settled without sale	3.00
For settling execution from Justice Courts.	1.00
For keeping a horse or mule, per day	.50
For keeping each head of cattle, per day	.15
For keeping each head of sheep, hogs or goats, per day	.05

For attendance upon any court of record in this

State \$5.00 per day for each day in attendance upon such courts.

For attendance at election as required by law
each day . . . \$2.00

The per diem or attendance on courts and election, and service in summoning jurors shall be paid by the county.

SEC. 2. Be it enacted by the authority aforesaid, That from and after the passage of this Act Section 5998 which provides for compensation for official duties performed by sheriffs of this State and their lawful deputies included in Section 1 of this Act be and the same is hereby repealed.

SEC. 3. Be it enacted by the authority aforesaid, That all the words and figures of Section 1134, of the Penal Code of 1910, Par. 1, down to the words "mileage fees" in the second paragraph of said section, be and the same are hereby repealed, and the following paragraph be enacted in lieu thereof.

1134. Sheriffs and their lawful deputies. The sheriffs of this State and their lawful deputies are entitled to the following fees, to-wit:

For removing prisoner when habeas corpus is sought for his relief . . . \$1.25

For removing a prisoner by order of any court and for bringing back a fugitive from justice to the county where the crime was committed, to be paid out of the county treasury upon approval of the county commissioners or ordinary, per day . \$3.00 and actual necessary expenses.

For removing prisoner under habeas corpus

when no mileage is paid, per day . . . 3.00

For attending a person taken by warrant to the judge's chamber for each time.	. \$ 1.25
For conducting a prisoner before a judge or court to and from jail.	1.25
For executing and returning a bench warrant	3.00
For apprehending a person suspected, if committed or held to bail.	3.00
For each person, not exceeding two, who may be employed to guard a prisoner to and from jail, per day	1.50
For summoning each witness.	.50
For taking bond in criminal cases	1.00
For executing a criminal	10.00
For executing a warrant of escape	3.00

Provided none of the provisions of this Act shall change the compensation of sheriffs and their lawful deputies for official duties performed in and for City and County Courts in this State, but the fees and compensation of such officers shall be and remain as now fixed by general and special laws affecting such courts of record.

SEC. 4. Be it enacted by the authority aforesaid, That from and after the passage of this Act, all laws and parts of law in conflict with this Act be and the same are hereby repealed.

The following Senate bill was read the second time, to-wit:

By Mr. Redwine—

A bill to amend Section 2818, Article 8, Chapter 2, Vol. 1 of Code of 1910, providing for the organization and management of trust companies.

The following resolution was read and adopted, to-wit:

By Mr. Merry—

A resolution providing that the Penitentiary Committee be authorized to visit and inspect the convict camps and prison farm, at the expense of the State, during the vacation of the General Assembly.

The following Senate bill was read the third time, to be put upon its passage, to-wit:

By Messrs. Weaver and Andrews—

A bill to amend Section 1973, Volume 1, of the Code of Georgia, as to salaries of the State Geologist and his assistants.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Dykes, J. R.	Logan, J. B. G.
Beck, E. H.	Eiders, H. H.	Merry, H. H.
Blackwell, F. M.	Ficklen, Boyce.	Price, H. H.
Brown, T. A.	Field, Alonzo.	Stevens, C. O.
Pynum, T. L.	Gilmore, George.	Townsend, S. C.
Carswell, Geo. H.	Hendricks, W. H.	Weaver, W. F.
Davison, James.	Hopkins, H. W.	Wohlwender, Ed.
Dickerson, R. G.	Hullender, W. C.	Yeoman, Sol. J.
Dukes, J. P.		

Those voting in the negative were Messrs.—

Beauchamp, J. C.	Leonard, R.	Peacock, D. Roscoe.
Council, M. B.	Loftin, Frank S.	Redwine, C. D.
Edwards, Chas. H.	Mills, Joe Brown.	Riner, M. T.
Heath, E. V.	Moore, J. B.	Skelton, J. H.
Kirby, J. T.		

Those not voting were Messrs.—

DeJarnette, H. R. Humber, R. T., Jr. Odom, J. C.
Denny, R. A.

Ayes, 25; nays, 13.

The bill having received the requisite constitutional majority was passed.

By unanimous consent the following Senate bill was reconsidered, to-wit:

By Mr. Beck—

A bill to create a Board of Supervisors of Roads, Bridges and Road Funds for the County of Murray.

And by unanimous consent the bill was then taken up for a third reading to be put upon its passage. Mr. Beck offered the following amendments to the bill which were read and adopted, to-wit:

Add the following as a substitute for section 10:

Section 10. Be it further enacted, That the ordinary of the County of Murray shall call and advertise a special election in said county to be held on the 15th day of September, 1917, as special elections are now called and advertised under the laws of this State, for the purpose of electing the first members of the Board of Supervisors of Roads, Bridges and Road Funds, created by this Act. All voters of said County of Murray qualified to vote for members of the General Assembly shall be qualified to vote in said election. The ordinary of Murray County shall consolidate the returns of said election, declare the result and certify the same to the Governor, and the members elected shall hold office until

the first Monday in January, 1919, and until their successors are elected and qualified and their successors in office shall be elected at the general election for State officials in 1918, and every two years thereafter and their terms of office shall be for two years.

Also, to amend Section 11, Paragraph 1 by striking the word "collect" in line two, and when amended same will read as follows:

Section 11. Be it further enacted, That the said board of supervisors shall assess and levy all the taxes for county purposes of Murray County, and shall disburse the same under proper voucher for the purpose for which said tax was levied, and for no other purpose. Said taxes to be levied at a regular meeting of the board and said board shall also publish a statement of all taxes levied and all expenditures of money once each quarter in the newspapers of the county, and shall submit a report to the grand jury at the spring term of the Superior Court showing receipts and expenditures of all money and county funds, and business transactions had for and in the name of the county.

The report of the committee, which was favorable to the passage of the bill, was agreed to, as amended.

Upon the passage of the bill the ayes were 25 and nays 0.

The bill having received the requisite constitutional majority was passed, as amended.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Andrews—

A bill to further regulate commerce within this State, to prevent combinations, and for other purposes.

The following amendment was read and adopted, to-wit:

By Mr. Andrews—

Amend by adding at the end of Section 5 the following words, to-wit:

“Any corporation, firm or person who shall violate any of the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as for a misdemeanor as prescribed in Section 1065 of the Code of Georgia of 1910.”

The report of the committee, which was favorable to the passage of the bill, was agreed to, as amended.

Upon the passage of the bill as amended, the ayes were 25 and nays 0.

The bill having received the requisite constitutional majority was passed, as amended.

The following Senate bill was read the third time to be put upon its passage, to-wit:

By Mr. Merry—

A bill to provide for conferring upon banking companies the rights and powers of trust companies.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 26 and nays 0.

The bill having received the requisite constitutional majority was passed.

Upon motion of Mr. Heath the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.,

Saturday, August 11th, 1917

The Senate met pursuant to adjournment at 10 o'clock A. M. and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names, to-wit:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown
Beauchamp, J. C.	Ficklen, Boyce	Moore, J. B.
Beck, E. H.	Field, Alonzo	Odom, J. C.
Blackwell, F. M.	Gilmore, George	Peacock, D. Roscoe
Brown, T. A.	Heath, E. V.	Price, H. H.
Bynum, T. L.	Hendricks, W. H.	Redwine, C. D.
Carswell, Geo. H.	Hopkins, H. W.	Riser, M. T.
Council, M. B.	Hullender, W. C.	Skelton, J. H.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
Denny, R. A.	Kirby, J. T.	Townsend, S. C.
Dickerson, R. G.	Leonard, R.	Weaver, W. F.
Dukes, J. P.	Loftin, Frank S.	Wohlwender, Ed
Dykes, J. R.	Logan, J. B. G.	Yeoman, Sol. J.
Edwards, Chas. H.	Merry, H. H.	Mr. President

Those absent were Messrs.—

DeJarnette, H. R.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Stevens, of the 30th District, Chairman of the Committee on University of Georgia, submitted the following report:

Mr. President:

Your Committee on University of Georgia has had under consideration the following bill of the

Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

To give the trustees of the University of Georgia supervisory control of the Georgia Experiment Station, and for other purposes.

STEVENS, Chairman.

Mr. Denny, of the 42nd District, Vice-Chairman of the Committee on Finance, submitted the following report:

Mr. President:

Your Committee on Finance has had under consideration the following bill of the House, and instructed me, as their vice-chairman, to report the same back to the Senate, with the recommendation that the same do pass, as amended, to-wit:

A bill to repeal certain Sections of the Code and to levy and collect a tax for the support of the State government, and for other purposes.

Respectfully submitted,
R. A. DENNY, Vice-Chairman.

Mr. Weaver, of the 23rd District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr. President:

Your Committee on Special Judiciary has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to incorporate the Georgia Loan and Trust Co.

A bill to amend the charter of East Point.

Respectfully submitted,

W F WEAVER, Chairman.

Mr. Skelton, of the 31st District, Chairman of the Committee on Corporations, submitted the following report:

Mr. President:

Your Committee on Corporations has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

House Bills Nos. 545, 549, 546 and Senate Bill No. 175.

Respectfully submitted,

J. H. SKELTON, Chairman.

Mr. Moore, of the 3rd District, Chairman of the Committee on Drainage, submitted the following report:

Mr President:

Your Committee on Drainage has had under consideration the following House Bill, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, as amended, to-wit:

A bill to amend Act approved August 19, 1911, providing a system for reclaiming wet, swamp and overflowed land.

Respectfully submitted,

J. B. MOORE, Chairman.

Mr. Skelton, of the 31st District, Chairman of the Committee on Corporations, submitted the following report:

Mr. President:

Your Committee on Corporations has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend the charter of Kirkwood.

Respectfully submitted,

J. H. SKELTON, Chairman.

Mr. Field, of the 34th District, Chairman of the Committee on General Judiciary No. 1, submitted the following report:

Mr. President:

Your Committee on General Judiciary No. 1 has had under consideration the following resolution of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A resolution for the relief of William Henderson.

Respectfully submitted,

FIELD, Chairman,

Mr. Elders, of the 2nd District, Chairman of the Committee on Education, submitted the following report:

Mr. President:

Your Committee on Education had had under consideration the following bill of the Senate, and

instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

Senate Bill No. 170, to accept the Smith-Hughes Vocational Education funds.

H. H. ELDERS, Chairman.

Mr. Field, of the 34th District, Chairman of the Committee on General Judiciary No. 1, submitted the following report:

Mr. President:

Your Committee on General Judiciary No. 1 has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to repeal Section 1065 of the Civil Code.

A bill to amend Section 695 of the Civil Code, relative to who is subject to road duty.

Respectfully submitted,

FIELD, Chairman.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr. President:

Your Committee on Counties and County Matters has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend an Act approved August 13th,

1912, creating the office of "Commissioner of Roads and Revenues" for the County of Henry, and for other purposes.

A bill to amend an Act of the General Assembly of the State of Georgia, approved August 17, 1916, fixing the salary of the County Treasurer of Jones County, and for other purposes.

Respectfully submitted,

BECK, Chairman.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters submitted the following report:

Mr President:

Your Committee on Counties and County Matters has had under consideration the following bill of the Senate, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend an Act approved August 16, 1907, entitled "An Act to create a Board of Commissioners of Roads and Revenues for the County of Lee, and for other purposes," by providing that said board shall consist of three members, to be elected by the grand jury of said county, fixing their terms of office and compensation, and for other purposes.

Respectfully submitted,

BECK, Chairman.

Mr. Leonard, of the 25th District, Chairman of the Committee on Public Library, submitted the following report:

Mr. President:

Your Committee on Public Library has had under consideration the following resolution of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A resolution to authorize the Librarian to purchase certain volumes of Georgia Reports.

Respectfully submitted,

R. LEONARD,

Chairman.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has agreed to Senate amendment to the following bills of the House, to-wit:

A bill to amend the health laws in certain counties of this State.

A bill to amend the charter of the City of Atlanta.

A bill to amend Act known as "Tattnall Board of Commissioners Created."

The House has agreed to the Senate substitute to the following bill of the House, to-wit:

A bill to abolish board of roads and revenues for County of Walker and create new board.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitu-

tional majority the following bills and resolutions of the House, to-wit:

A bill to provide that all property, without a lawful owner, shall belong to the State.

A bill to amend the charter of the City of La-Grange.

A bill to amend an Act incorporating the Town of Maxeys.

A bill to amend an Act incorporating the City of Jefferson.

A bill to perfect title in trusts to the trustees of Effingham Academy.

A bill to amend an Act to incorporate the Town of Ty Ty.

A resolution to establish and declare boundary between Georgia and South Carolina on suit in United States Supreme Court.

A resolution providing that the Committee on Academy for the Blind shall visit same in vacation.

A resolution to assist in settling strike on Georgia, Florida, Alabama Railway.

A resolution to appoint committee to draft bill regulating establishments of banks.

A resolution to refund money for charter not granted.

A resolution to pay pension to Mrs. Catherine Dale.

A resolution to pay pension to O. G. Roberts.

A resolution to pay pension to Ellen C. Smith.

A resolution to pay pension to Mrs. Mary Dantzer.

A resolution to pay pension to Mrs. L. M. Tyson.

A resolution for relief of Sarah A. Wilson.

A resolution to pay pension to Mrs. Georgia A. Dasher.

A resolution to appropriate money due to Mrs. Dora Eakes.

A resolution to pay pension to Mrs. S. C. Moore.

A bill to amend Section 2817 of the Code of 1910 relative to the powers and functions of trust companies.

A bill to make appropriations for the support of the State Government.

A bill to incorporate the Town of Southwest La-Grange.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Redwine—

A bill to amend the charter of the City of Griffin.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bills were read the second time, to-wit:

By Mr. Redwine—

A bill to amend an Act to establish an experiment station and farm in the State of Georgia.

By Mr. Denny—

A bill to amend the charter of the City of Cartersville.

By Mr. Yeoman—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for the County of Lee.

The following House bills and House resolution were taken up for a third reading to be put upon their passage, to-wit:

By Mr. Maynard of Wilcox—

A bill to amend an Act establishing a system of public schools for the Town of Abbeville.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Lankford of Toombs—

A bill to amend an Act to establish a system of public schools for the City of Vidalia.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Stewart of Coffee—

A bill to provide for the abolishment of the pres-

ent executive committees of political parties in the County of Coffee.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Clements of Irwin—

A bill to amend an Act establishing a system of public schools in the City of Ocilla.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Morris and Cheney of Cobb—

A resolution to authorize the Commissioners of Roads and Revenues of Cobb County to use certain funds.

The report of the committee, which was favorable to the passage of the resolution, was agreed to.

On the passage of the resolution the ayes were 29, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Shannon of Twiggs—

A bill to provide for holding two terms a year of the Superior Court of Twiggs County

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Ayers and Holder of Jackson—

A bill to establish a system of public schools in the Town of Braselton.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Chupp and Steele of DeKalb—

A bill to amend the charter of the Town of Kirkwood.

The report of the committee, which was favorable to the passage of the bill, as amended, was agreed to.

On the passage of the bill, as amended, the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed, as amended, and the amendments are as follows, to-wit:

That said bill be amended by striking Section 5 of the Act and inserting in lieu thereof, the following, so that said section shall read as follows:

Section 5. Be it further enacted by the authority aforesaid, That on the first Wednesday in Decem-

ber, 1919, there shall be elected from the second and fourth wards of said town, two members of the board of education to succeed the two members whose terms of office expire in May, 1920, to hold office from May, 1920, until the first Monday in January, 1924, and until their successors are elected and qualified. That with September, 1917, shall cease and terminate the right and claim of S. J. Bryan and M. S. Ransom to membership on the board of education of the Town of Kirkwood and that in the election held for the two members at large of the board of education, there shall be elected by ballot September 19, 1917, a member to succeed to the places now claimed by S. J. Bryan and M. S. Ransom.

That said newly elected member shall be elected for the unexpired term, which office expires in May, 1920, and upon his election and qualification, the claim of right and membership of S. J. Bryan and M. S. Ransom shall terminate.

The registration book for the special election to be held on September 19th, 1917, as provided by the bill, shall be opened by the clerk of the Town of Kirkwood immediately upon the passage of resolution calling for this election by the Mayor and Council of the Town of Kirkwood and same shall be kept open up to five days before said date and then closed. Thereafter the clerk shall prepare and furnish registration lists as provided in other special elections but this particular registration is an exception to the registration required by the present charter of the Town of Kirkwood.

Section 8 to be stricken and in lieu thereof the following to be inserted:

“Sec. 8. Be it further enacted by the authority aforesaid, That on Wednesday, September 26th, 1917, following the election hereinbefore provided for and the declaration of the result as required by law, the new board, with the added members, shall hold an election at the usual time, 8 o'clock P. M., at the city hall of Kirkwood and reorganize by the election of a chairman and a secretary-treasurer from their members and the persons so elected shall take the place of the present chairman and secretary-treasurer and all controversies now existing with reference to same shall cease and determine, but the persons so elected shall serve for a term ending the first Monday in January, 1918, and their successors shall be elected for a term of one year at the time, it being understood that the mayor of the town is an ex-officio member of the board of education after this amendment as well as prior to this amendment.”

Sec. 9 to be stricken and in lieu thereof the following to be inserted:

“SEC. 9. Be it further enacted by the authority aforesaid, That the public school system of the Town of Kirkwood as provided under the Act of the General Assembly of Georgia, approved August 15th, 1910, establishing a new charter for the Town of Kirkwood and the several Acts amendatory thereof, except as herein amended and changed, shall be and

the same are hereby continued of full force and effect.”

The following House bill was read the second time and recommitted to Committee on Counties and County Matters, to-wit:

By Mr. Bellah of Henry—

A bill to amend an Act creating the office of Commissioner of Roads and Revenues for the County of Henry.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Mills—

A bill to amend Section 1062 of the Penal Code of 1910, by providing that it shall be obligatory upon the judge to respect the recommendation of juries reducing felony cases to misdemeanors.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 26 and nays 2.

The bill having received the requisite constitutional majority was passed.

The following resolution was read and adopted, to-wit:

By Mr. Beck—

A resolution requesting the House to reconsider Senate Bill No. 58 (Murray County Supervisor Bill), for the purpose of correcting an error.

The following House bills and resolutions were read the second time, to-wit:

By Mr. Clifton of Lee—

A bill to repeal Section 1065 of the Civil Code of Georgia.

By Messrs. Smith, Atkinson and White of Fulton—

A bill to authorize the city authorities of East Point to hold an election for local taxation for public schools.

By Messrs. Davenport and Palmour of Hall—

A bill to amend Section 695 of the Civil Code of Georgia of 1910.

By Messrs. Fowler and Hall of Bibb—

A bill to incorporate the Georgia Loan and Trust Company.

By Mr. Wright of Jones—

A bill to amend an Act fixing the salary of the County Treasurer of Jones County.

By Mr. Cook of Miller—

A bill to amend an Act amending, consolidating and superseding the several Acts incorporating the City of Colquitt.

By Messrs. Atkinson, Smith and White of Fulton—

A bill to amend the charter of the City of East Point.

By Mr. Harris of Walker—

A bill to incorporate the City of Lytle.

By Mr. Clements of Irwin—

A resolution for the relief of William Henderson.

By Mr. Lawrence of Chatham—

A resolution to authorize the Librarian to purchase certain volumes of Georgia Reports.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Elders—

A bill to amend Paragraph 1, Section 4, Article 8 of the Constitution of the State of Georgia, granting authority to the counties of the State to levy local tax for the support of public schools.

The report of the committee, which was favorable to the passage of the bill, by substitute, was agreed to.

Upon the passage of the bill, by substitute, the ayes and nays were ordered, this being a constitutional amendment, and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Ficklen, Boyce.	Moore, J. B.
Beauchamp, J. C.	Gilmore, George.	Odom, J. C.
Beck, E. H.	Heath, E. V.	Peacock, D. Roscoe.
Blackwell, F. M.	Hendricks, W. H.	Price, H. H.
Brown, T. A.	Hopkins, H. W.	Redwine, C. D.
Bynum, T. L.	Humber, R. T., Jr.	Riner, M. T.
Carswell, Geo. H.	Kirby, J. T.	Skelton, J. H.
Davison, James.	Leonard, R.	Townsend, S. C.
Dickerson, R. G.	Loflin, Frank S.	Weaver, W. F.
Dukes, J. P.	Merry, H. H.	Wohlwender, Ed.
Elders, H. H.	Mills, Joe Brown.	Yeoman, Sol. J.

Those voting in the negative were Messrs.—

Denny, R. A.	Field, Alonzo.	Stevens, C. O.
Edwards, Chas. H.	Hullender, W. C.	

Those not voting were Messrs.—

Council, M. B.	Dykes, J. R.	Logan, J. B. G.
DeJarnette, H. R.		}

Ayes 33; nays 5.

The bill having received the requisite constitutional majority was passed by substitute, and the substitute is as follows, to-wit:

A BILL

To be entitled an Act to amend Par. 1, Sec. 4, Art. 8 of the Constitution of the State of Georgia, granting authority to the counties of this State to levy local tax for the support of public schools, by requiring the county and municipal authorities to levy a local tax for the support of the public schools.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, That Par. 1, Sec. 4, of Art. 8, of the Constitution of the State of Georgia, be and the same is hereby amended by striking out the words "militia districts, school districts" in the second line and all the words after "taxation" in line five, which read as follows: "but no such laws shall take effect until the same shall have been submitted to a vote of the qualified voters in each county, militia district, school district or municipal corporation and approved by two-thirds majority of persons voting at such election, and the General Assembly may prescribe who shall vote on such questions," and inserting in lieu thereof the following: "The proper county authorities, whose duty

it is to levy taxes for county purposes in this State, shall assess and collect annually for the support of the public schools not less than one (1) nor more than five (5) mills on the dollar of all taxable property of the county, which shall be distributed equitably according to the school population, the tax values, the number of teachers and their grade of license among the public schools therein. An additional levy not to exceed five mills shall be permissible in municipalities or school districts on a two-thirds vote of those voting in the municipality or school district. No additional election shall be required to maintain local school tax now in existence in districts, counties, or municipalities.” So that said Paragraph 1, Sec. 4, Art. 8, when so amended, shall read as follows: Authority is granted to the counties and to municipal corporations upon the recommendation of the corporate authority, to establish and maintain public schools in their respective limits by local taxation. The proper county authorities, whose duty it is to levy taxes for county purposes in this State, shall assess and collect annually for the support of public schools not less than one nor more than five mills on the dollar of all taxable property of the county which shall be distributed equitably according to the school population, tax values, the number of teachers and their grade of license, among the public schools therein. An additional levy not to exceed five mills shall be permissible in municipalities or school districts on a two-thirds vote of those voting in the municipality or school district. No additional election shall be

required to maintain local school tax now in existence in districts, counties or municipalities, provided this bill shall not apply to counties having a local school system of taxation adopted prior to Constitution of 1877.

SEC. 2. Be it further enacted, That if this constitutional amendment shall be agreed to by two-thirds of the members of the General Assembly of each House, the same shall be entered on the Journal, with the ayes and nays taken thereon, and the Governor shall cause the amendment to be published in one or more of the newspapers in each Congressional district for two months immediately preceding the next general election, and the voters shall have written or printed on their tickets: "For ratification of amendment to Par. 1, Sec. 4, Art. 8, of the Constitution" (providing for the levy of a local tax by the counties and municipalities of this State in support of public schools), or "Against ratification of amendment to Par. 1, Sec. 4, Art. 8, of the Constitution" (against providing for the levy of a school tax by the counties and municipalities of this State in support of public schools), as they may choose and if a majority of the electors qualified vote in favor of ratification, then said amendment shall become a part of Par. 1, Sec. 4, Art. 8, of the Constitution of this State, and the Governor shall make proclamation thereof.

SEC. 3. Be it further enacted, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. West.

Mr. President:

I am directed by His Excellency, the Governor, to deliver to the Senate a sealed communication to which he respectfully invites the consideration of your honorable body in executive session.

The following House bills and House resolutions were read the first time, to-wit:

By Mr. Ellis of Tift—

A bill to amend the charter of the Town of Ty Ty.

Referred to Committee on Special Judiciary.

By Messrs. Holder and Ayers of Jackson—

A bill to amend the charter of the City of Jefferson.

Referred to Committee on Corporations.

By Mr. Smith of Fulton—

A bill to amend Section 2817 of the Code relative to the powers of trust companies.

Referred to Committee on General Judiciary No. 1.

By Mr. Beall of Richmond—

A bill to provide that all property without a lawful owner shall belong to the State.

Referred to General Judiciary Committee No. 1.

By Mr. Hall of Bibb—

A bill to make appropriations for the support of the State Government for 1918.

Referred to Appropriations Committee.

By Mr. Reiser of Effingham—

A bill to perfect title in trusts to the trustees of Effingham Academy.

Referred to Education Committee.

By Mr. Howard of Oglethorpe—

A bill to amend the charter of the Town of Maxeys.

Referred to Corporations Committee.

By Mr. Lanier of Bulloch County—

A resolution to appropriate \$50.00 to refund money paid for charter not granted.

Referred to Appropriations Committee.

By Mr. Harden of Banks—

A resolution to provide for the payment of a pension to Mrs. Catherine Dale, widow of John A. Dale, of Banks County.

Referred to Finance Committee.

By Mr. Clifton of Lee—

A resolution to appropriate pension to Mrs. L. M. Tyson.

Referred to Pensions Committee.

By Mr. Key of Jasper County—

A resolution to pay pension to O. G. Roberts for the year 1916-17

Referred to Pensions Committee.

By Mr. Reiser of Effingham—

A resolution to pay a pension to Georgia A.

Dasher, widow of James Dasher, for the year 1915.

Referred to Pensions Committee.

By Mr. Beck of Carroll County—

A resolution to pay pension for 1917 to Ellen C. Smith, widow of Henry J. Smith, deceased.

Referred to Pensions Committee.

By Mr. Barrett of Whitfield—

A resolution to pay Mary F Dantzler pension for the year 1917

Referred to Pensions Committee.

By Mr. Beazley of Taliaferro—

A resolution to provide for payment of pension to Mrs. S. E. Moore.

Referred to Pensions Committee.

By Mr. McCalla of Rockdale—

A resolution to provide for payment of per diem and expenses of travel due W J. Eakes to his widow, Mrs. Dora Bastair Eakes.

Referred to Pensions Committee.

By Messrs. Morris and Cheney of Cobb County—

A resolution for the relief of Sarah A. Wilson of Cobb County as the widow of a Confederate soldier.

Referred to Pensions Committee.

By Mr. Bankston of Troup—

A bill to incorporate the Town of Southwest La-Grange.

Referred to Corporations Committee.

By Mr. Wyatt of Troup County—

A bill to amend the charter of the City of LaGrange so as to extend the corporate limits of said City of LaGrange, and for other purposes.

Referred to Corporations Committee.

The following House bill was read the second time and recommitted, to-wit:

By Mr. Burwell of Hancock—

A bill to amend Section 2632 of the Code of Georgia as to publication of schedules of freight rates.

Recommitted to Committee on Railroads.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bill of the House, to-wit:

A bill to create a Bureau of Markets for Agricultural products within the Department of Agriculture.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Redwine—

A bill to amend Section 2818, Article 8, Chapter 2, Volume 1 of the Code of Georgia, providing for the organization of trust companies.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 29 and nays 0.

The bill having received the requisite constitutional majority was passed.

The following House resolution was read and adopted, to-wit:

By Mr. McDonald of Richmond—

A resolution providing that the Committees of the House and Senate, on Academy for the Blind, visit said academy during vacation of the General Assembly.

The following House resolution was read and adopted, to-wit:

By Mr. Duncan of Douglas—

A resolution providing for a special committee to draft a bill to regulate the establishment of banks.

The following House resolution was read and adopted, to-wit:

By Mr. Griffin of Decatur—

A resolution to assist in settling the strike on Georgia, Florida and Alabama Railroad.

The following House resolution was read the first time, to-wit:

By Messrs. Jones and Adams of Elbert—

A resolution to declare and establish the boundary

between Georgia and South Carolina by suit in the United States Supreme Court.

Referred to Committee on State of Republic.

The following House bill was taken up for a third reading to be put upon its passage, to-wit:

By Messrs. Akin of Glynn and Swift of Muscogee—

A bill to repeal certain Sections of the Code and to levy and collect a tax for the support of the State Government.

Upon motion of Mr. Denny the bill was considered by sections.

The following amendments were read and adopted:

The committee proposes to amend Section 2, Paragraph 1, by striking out the words “relieved of such taxes under and by authority of Section 766, Volume 1, of the Code of 1895.”

The committee proposes to amend Section 2, Paragraph 2, by striking out the words, “or practice their profession and charging for the same.”

Mr. Ficklen proposes to amend Section 2, Paragraph 2, add in line 16 after word “accountant” the word “embalmers.”

The committee proposed to amend Section 2, Paragraph 8, by striking out the first 48 words of said paragraph from the words “upon” to the word “made,” inclusive, and inserting in lieu thereof: “Upon every agent of, and upon every dealer in,

and upon every person soliciting orders for the sale of or purchase of automobiles or other self-propelling vehicles, the sums set out below in each county for each make of such vehicles, only one such tax for such make for each agency to be taxed in any one county; any agency having paid such tax to be allowed any number of employees within the county wherein such tax has been paid free from further such liability.”

Mr. Davison proposes to amend the amendment to Section 2, Paragraph 8, by adding the following:

“Provided, that any person, firm or corporation paying this tax shall be permitted to resell any automobiles or other vehicles taken in exchange for other automobiles without the payment of additional tax.”

Mr. Peacock, of the 15th District, Vice-Chairman of the Committee on Corporations, submitted the following report:

Mr. President:

Your Committee on Corporations has had under consideration the following House Bills Nos. 391 and 466, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

To amend charter of LaGrange, extend limits, and for other purposes. No. 466.

To incorporate the Town of Southwest LaGrange.

PEACOCK, Vice-Chairman.

The following House bill was read the first time, to-wit:

By Mr. Cheney of Cobb—

A bill to create a Bureau of Markets for Agricultural products.

Referred to Committee on Agriculture.

The session of the Senate was extended for the purpose of going into executive session.

At 1 o'clock P. M. the Senate went into executive session.

The Senate took a recess until 3 o'clock P. M.

SENATE CHAMBER, 3 o'clock P. M.

The Senate reconvened at 3 o'clock P. M. and was called to order by the President.

Upon the call of the roll the following Senators answered to their names, to-wit:

Andrews, W. P.	Ficklen, Boyce.	Mills, Joe Brown.
Beauchamp, J. C.	Feld, Alonzo.	Moore, J. B.
Beck, E. H.	Gilmore, George.	Odom, J. C.
Blackwell, F. M.	Heath, E. V.	Peacock, D. Roscoe.
Brown, T. A.	Hendricks, W. H.	Price, H. H.
Bynum, T. L.	Hopkins, H. W.	Redwine, C. D.
Carswell, Geo. H.	Hullender, W. C.	Riner, M. T.
Council, M. B.	Humber, R. T., Jr.	Skelton, J. H.
Davison, James.	Kirby, J. T.	Stevens, C. O.
Denny, R. A.	Leonard, R.	Townsend, S. C.
Dickerson, R. G.	Leftin, Frank S.	Weaver, W. F.
Dukes, J. P.	Logan, J. B. G.	Wohlwender, Ed.
Dykes, J. R.	McCurry, A. A.	Yeoman, Sol. J.
Edwards, Chas. H.	Merry, H. H.	Mr. President.
Elckers, H. H.		

Those absent were Messrs.—
DeJarnette, H. R.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has read and agreed to Senate amendments to the following bills of the House, to-wit:

A bill to create the Board of Commissioners of Roads and Revenues for the County of Butts.

A bill to repeal an Act creating County Commissioner for the County of Butts.

A bill to fix the salary of the Treasurer of Dodge County

A bill to abolish the City Court of Franklin.

The House has read and disagreed to Senate substitute to the following bill of the House, to-wit:

A bill to create a board of Commissioners of Roads and Revenues for County of Bryan.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has read and adopted the Senate amendment to the following bill of the Senate, to-wit:

A bill to create a Board of Supervisors of Roads and Revenues for County of Murray

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills and resolutions of the House, to-wit:

A bill to amend the charter of the City of Macon.

A bill to amend the charter of the City of Griffin.

A resolution relative to unfinished business of the General Assembly for the session of 1917

A resolution providing that officers of the General Assembly remain at capitol five days after adjournment for bringing up unfinished business of session of 1917.

A bill to appropriate money for girls' dormitory for 5th District A. and M. School at Monroe, Ga.

A bill to appropriate sum of money to Trustees of University of Georgia for use of Georgia School of Technology.

A bill to regulate the sale and storing of seed cotton in the County of Lowndes.

A bill to authorize county authorities of Banks County to construct bridges, abutments, and piers by convict labor.

A bill to amend Act establishing City Court of Albany.

A bill to amend an Act establishing Board of Lights and Waterworks for City of Marietta.

A bill to amend the charter of the City of Newnan.

A bill to appropriate to the University of Georgia for the use of the South Georgia Normal College at Valdosta \$12,500.00.

A bill to appropriate \$5,000 to 3rd District Agricultural School at Americus.

Under a suspension of the rules the following

Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Messrs. Bynum, DeJarnette and others—

A bill to accept the funds appropriated by Congress under the legislation known as the Smith-Hughes Measure; to appoint a State Board of Vocational Education, and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

The following resolution of the House was read and adopted, to-wit:

By Mr. Pickren of Charlton—

A resolution providing that officers of the General Assembly shall remain at the capitol five days after adjournment for bringing up unfinished business of session of 1917

The following joint resolution was read and adopted, to-wit:

By Mr. Hopkins—

A resolution providing that a statement of unfinished business be mailed each member of the General Assembly.

The following House resolution was read and concurred in, to-wit:

By Mr. Carroll of Catoosa—

A resolution relative to the unfinished business of the session of 1917

The following House bills were read the first time, to-wit:

By Mr. Grantland of Spalding—

A bill to amend the charter of the City of Griffin, Georgia, by changing the Act approved August 15th, 1910, and for other purposes.

Referred to Corporations Committee.

By Mr. Staten of Lowndes—

A bill to regulate the sale and storing of seed cotton in the County of Lowndes, State of Georgia.

Referred to Counties and County Matters Committee.

By Mr. Harden of Banks—

A bill to authorize the county authorities of Banks County to construct bridges, abutments and piers and public highways by convict labor.

Referred to Counties and County Matters Committee.

By Mr. Burt of Dougherty—

A bill to amend an Act establishing the City Court of Albany in the County of Dougherty.

Referred to Special Judiciary Committee.

By Messrs. Fowler and Hall of Bibb—

A bill to amend the charter of the City of Macon.

Referred to Corporations Committee.

By Mr. Blasingame and others—

A bill to appropriate the sum of \$10,000 available 1918 and \$10,000 available 1919 for the purpose of erecting and equipping a girls' dormitory for the 5th District Agricultural and Mechanical School located at Monroe, Ga.

Referred to Appropriations Committee.

By Mr. Pace of Sumter—

A bill to appropriate five thousand dollars to the 3rd District Agricultural School located at Americus, Georgia.

Referred to Appropriations Committee.

By Messrs. Jones and Staten of Lowndes—

A bill to appropriate to the University of Georgia for the use of the South Georgia Normal College located at Valdosta, the sum of twelve thousand five hundred (\$12,500.00) dollars, for the purpose of completing the college building partly constructed, and for other purposes.

Referred to Appropriations Committee.

By Messrs. Arnold and Jones of Coweta—

A bill to amend an Act creating the charter of the City of Newnan.

Referred to Corporations Committee.

By Messrs. Atkinson, Smith and White of Fulton—

A bill to appropriate \$30,000 to the Trustees of the University of Georgia, for the use of the School of Technology, and for other purposes.

Referred to Appropriations Committee.

By Messrs. Morris and Cheney of Cobb—

A bill to amend an Act approved August 20, 1916, establishing a Board of Lights and Waterworks for the City of Marietta, Georgia, and for other purposes.

Referred to Corporations Committee.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Hendricks—

A bill to create the office of County Treasurer of Tift County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

The Senate resumed consideration of the following bill of the House, to-wit:

By Messrs. Akin and Swift—

A bill to repeal certain Sections of the Code and to levy and collect a tax for the support of the State Government.

The following amendments were read and adopted, to-wit:

The committee proposes to amend Section 2, Paragraph 15, by striking out the words “and upon each and every person doing detective work or engaging

in the business of a detective for hire or compensation, the sum of \$10.00 in each county in this State wherein such detective may do or offer to do detective work.”

Mr. Andrews offered the following amendment:

Amend Section 2, Paragraph 17, by adding the following words: Provided, that any corporation, firm or person who may engage in loaning or negotiating loans upon wages or time or who purchase salaries shall pay the sum of one hundred dollars per year.

The committee proposes to amend Section 2, Paragraph 20, by striking out the words “thirty dollars” and inserting in lieu thereof the words “fifty dollars.”

Mr. Wohlwender proposes to amend sub-section 2 of Paragraph 27 by adding after the word “clock” the words “Bibles or albums.”

Mr. Dukes proposes to amend by adding after the word “albums” the word “picture frames.”

Mr. Wohlwender proposes to amend sub-section 4 of Paragraph 27 by adding after the word “kind” in line 206, the words “not prohibited by law.”

Mr. Wohlwender proposes to amend Paragraph 28, line 215, by striking the words “in possession of” and insert the words “owned by.”

Mr. Redwine proposes to amend Paragraph 28, sub-section 1 by adding at the end the following:

Provided, that no Confederate soldier—indigent—
or any other person, firm or corporation shall be ex-
empt from the tax provided under this section.

Upon motion of Mr. Wohlwender the Senate ad-
journed until Monday morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.

Monday, August 13, 1917

The Senate met pursuant to adjournment at 10 o'clock A. M. and was called to order by the President.

Prayer was offered by the Chaplain.

By unanimous consent the call of the roll was dispensed with.

Mr. Andrews gave notice that at the proper time he would move to reconsider House Resolution No. 100.

By unanimous consent the reading of the Journal of Saturday's session was dispensed with.

Mr. Andrews moved to reconsider the following resolution of the House, to-wit:

By Messrs. Morris and Cheney of Cobb—

A resolution to authorize the Commissioners of Roads and Revenues of Cobb County to use certain funds.

The motion prevailed and the resolution was reconsidered.

Mr. Heath, Vice-Chairman of the Committee on Rules, submitted the following report:

Mr President:

Your Committee on Rules beg to submit the following order of business for the day:

1. First reading of House bills and reconsideration of local bills.

2. Second reading of House bills.
3. Passage of local Senate and House bills.
4. Concurrence in House amendment to Senate local bills.
5. Concurrence in House amendment to Senate resolutions.
6. Unanimous consents.
7. Reports of standing committees in order at any time.
8. First and second reading of bills and resolutions.

Respectfully submitted,

HEATH, Vice-Chairman.

The report was adopted.

The following Senate bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Denny—

A bill to create a new charter for the City of Cartersville.

Mr. Denny offered the following amendment, which was agreed to, to-wit:

Amend Section 22 of said bill by adding the following provision at the end of said Section:

Provided, further, That where there are only three (3) candidates for the Board of Aldermen, in the general election, one of the three shall be designated as mayor by the voters by writing the word "mayor" under his name on the ticket, and the one thus designated by the highest number of votes shall be mayor.

The report of the committee, which was favorable to the passage of the bill, was agreed to, as amended.

On the passage of the bill as amended, the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed, as amended.

Mr. Carswell, of the 21st District, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President:

Your Committee on Appropriations has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to appropriate to the University of Georgia for South Georgia Normal School, the sum of \$12,500.00.

A bill to appropriate \$30,000 to the University of Georgia for the School of Technology.

A bill to appropriate \$10,000 available in 1918; \$10,000 available in 1919, for the erecting of a girls' dormitory for the Fifth District Agricultural and Mechanical School.

A bill to appropriate \$5,000 to Third District Agricultural School.

Respectfully submitted,

GEO. H. CARSWELL, Chairman.

Mr. Carswell, of the 21st District, Chairman of

the Committee on Appropriations, submitted the following report:

Mr President:

Your Committee on Appropriations has had under consideration the following resolution of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A resolution to appropriate \$50.00 to W S. Pretorius and others, money paid for bank charter not granted.

Respectfully submitted,

GEO. H. CARSWELL, Chairman.

Mr. Elders, of the 2nd District, Chairman of the Committee on Education, submitted the following report:

Mr President:

Your Committee on Education has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

House Bill No. 557, a bill to perfect title to the Trustees of Effingham Academy to certain property.

H. H. ELDERS, Chairman.

Mr. Weaver, of the 23rd District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr. President:

Your Committee on Special Judiciary has had un-

der consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend the Act establishing the City Court of Albany.

A bill to amend an Act incorporating the Town of Ty Ty.

Respectfully submitted,

WEAVER, Chairman.

Mr. Field, of the 34th District, Chairman of the Committee on General Judiciary No. 1, submitted the following report

Mr President:

Your Committee on General Judiciary No. 1 has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

House Bill No. 30, a bill to amend Section 2817 relative to the powers and functions of trust companies.

Respectfully submitted,

FIELD, Chairman.

Mr. Edwards, of the 32nd District, Chairman of the Committee on Railroads, submitted the following report:

Mr President:

Your Committee on Railroads has had under consideration the following bill of the House, and in-

structed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend Section 2632 of the Code of Georgia as to publication of schedules of freight rates, etc.

Respectfully submitted,

EDWARDS, Chairman.

The following House bills and House resolutions were read the second time to be put upon their passage, to-wit:

By Messrs. Fowler and Hall of Bibb—

A bill to amend an Act to incorporate the Georgia Loan and Trust Co.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Smith, Atkinson and White of Fulton—

A bill to authorize the City of East Point to hold an election for taxation for public schools.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Wright of Jones—

A bill to amend an Act to fix the salary of the Treasurer of Jones County.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Harris of Walker—

To incorporate the City of Lytle.

The following amendment was read and adopted, to-wit:

By Mr. Hullender of the 44th District—

Moves to amend House Bill No. 545 by striking all of Section 2 after the words, “as follows,” and inserting in lieu thereof the following:

“Beginning at the northeast corner of E. N. Wagner’s lot, thence running north with the Crawfish Spring or Dry Valley Road to a point east of the Lytle Supply Company, thence west with public road leading west on south line of said Supply Company property to the north and south lines between land lots Nos. 171 and 172, thence south with said line to the east and west line between lots Nos. 189 and 190, thence south 1,845 feet, thence east 2,160 feet, thence north 210 feet, thence east 550 feet to point of beginning.”

The report of the committee, which was favorable

to the passage of the bill, was agreed to, as amended.

Upon the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed, as amended.

By Mr. Clements—

A resolution for the relief of William Henderson.

The report of the committee, which was favorable to the passage of the resolution, was agreed to.

On the passage of the resolution the ayes were 30, and nays 0.

The resolution having received the requisite constitutional majority was passed.

By Messrs. Atkinson, Smith and White—

A bill to amend the charter of the City of East Point.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Cook of Miller—

A bill to amend the charter of City of Colquitt.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Lawrence—

A resolution authorizing the Librarian to purchase certain volumes of Georgia Reports.

The report of the committee, which was favorable to the passage of the resolution, was agreed to.

On the passage of the resolution the ayes were 30, nays 0.

The resolution having received the requisite constitutional majority was passed.

The following House bills and resolutions were read the second time and recommitted, to-wit:

By Messrs. Morris and Cheney of Cobb—

A resolution for the relief of Sarah A. Wilson of Cobb County.

Recommitted to Pensions Committee.

By Messrs. Holder and Ayers of Jackson—

A bill to amend an Act incorporating the City of Jefferson.

Recommitted to Corporations Committee.

By Mr. Howard of Oglethorpe—

A bill to amend an Act incorporating the Town of Maxeys.

Recommitted to Corporations Committee.

By Mr. Grantland of Spalding—

A bill to amend the charter of the City of Griffin.

Recommitted to Corporations Committee.

By Mr. Reiser of Effingham—

A resolution to pay a pension to Georgia A. Dasher.

Recommitted to Pensions Committee.

By Mr. Beck of Carroll—

A resolution to pay pension to Ellen C. Smith.

Recommitted to Pensions Committee.

By Mr. Barrett of Whitfield—

A resolution to pay pension to Mary F. Dantzler.

Recommitted to Pensions Committee.

By Mr. Clifton of Lee—

A resolution to appropriate pension to Mrs. L. M. Tyson.

Recommitted to Pensions Committee.

By Mr. Key of Jasper—

A resolution to pay pension to O. G. Roberts.

Recommitted to Pensions Committee.

By Messrs. Fowler and Hall of Bibb—

A bill to amend the charter of the City of Macon.

Recommitted to Corporations Committee.

By Messrs. Arnold and Jones of Coweta—

A bill to amend the charter of the City of Newnan.

Recommitted to Corporations Committee.

By Messrs. Morris and Cheney of Cobb—

A bill to amend an Act establishing the Board of Lights and Waterworks for the City of Marietta.

Recommitted to Corporations Committee.

By Mr. Beazley of Taliaferro—

A resolution to provide for the payment of pension to Mrs. S. E. Moore.

Recommitted to Pensions Committee.

By Mr. McCalla of Rockdale—

A resolution to provide for payment of per diem and expenses due W. J. Eakes to his widow.

Recommitted to Pensions Committee.

The following bills and resolution of the House were read the second time, to-wit:

By Mr. Lanier of Bulloch—

A resolution to appropriate \$50.00 to W. S. Pretorius, J. A. Brannen and J. G. Watson, money paid for bank charter not granted.

By Mr. Wyatt of Troup—

A bill to amend the charter of the City of LaGrange.

By Messrs. Atkinson, Smith and White of Fulton—

A bill to appropriate \$30,000 to the Trustees of the University of Georgia for the use of the School of Technology.

By Messrs. Cheney of Cobb and Stewart of Coffee—

A bill to create a Bureau of Markets for agricultural products.

By Mr. Bankston of Troup—

A bill to incorporate the Town of Southwest La-Grange.

By Mr. Pace of Sumter—

A bill to appropriate five thousand (\$5,000.00) dollars to the Third District Agricultural School.

By Messrs. Jones and Staten of Lowndes—

A bill to appropriate twelve thousand five hundred (\$12,500.00) dollars to the University of Georgia for the use of South Georgia Normal College.

By Mr. Blasingame of Walton, and others—

A bill to appropriate \$10,000 for 1918 and \$10,000 for 1919 to the Fifth District Agricultural and Mechanical School.

By Mr. Smith of Fulton—

A bill to amend Section 2817 of the Code relative to the powers and functions of trust companies.

The following resolution was read and adopted, to-wit:

By Mr. Peacock—

A resolution requesting the House to reconsider its action in adopting the Senate amendment to House Bill No. 501 and that said bill be returned to the Senate.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills and resolutions of the House, to-wit:

A resolution authorizing the Penitentiary Committees of the House and Senate to visit the convict camps in vacation.

A resolution requesting the Governor of Georgia on behalf of the State to extend an invitation to the National Tax Congress.

A bill to accept the provisions of an Act of Congress approved February 23, 1917, entitled an Act to provide for the promotion of vocational education.

A bill to abolish fee system in the Pataula Judicial Circuit.

A bill to abolish the fee system now existing in the Superior Courts of the Southwestern Judicial Circuits.

A bill abolishing the fee system now existing in the Superior Courts of the Waycross Judicial Circuit.

A bill to authorize the treasurers of the counties of this State to deposit county funds in any bank or banking institution which has been designated by law

A bill to abolish the fee system now existing in Superior Courts of Flint Judicial Circuit.

A bill to abolish the fees of Solicitor-General of Stone Mountain Judicial Circuit.

A bill to appropriate \$5,000.00 to W & A. R. R. Commission.

A bill to amend an Act creating a Municipal Court of the City of Macon.

A bill to abolish the fee system in the Southern Judicial Circuit.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills and resolutions of the House, to-wit:

A bill to abolish fee system in Superior Courts of Chattahoochee Circuit.

A bill to authorize the creation of a Home Guard.

A resolution authorizing Committee on University and its Branches to visit same in vacation.

The following Senate resolution was taken up for the purpose of acting upon the House substitute, to-wit:

By Mr. Heath—

A resolution setting the 12th day of April of each year as the date for contributions to the Stone Mountain Memorial Fund.

The Senate concurred in the substitute of the House, and the substitute is as follows, to-wit:

A RESOLUTION

Whereas, Hon. Samuel H. Venable, Mrs. Robert Venable Roper and Mrs. Coribel Venable Kellogg have made a patriotic donation to the Stone Mountain Confederate Monument Association, a large portion of what is known as Stone Mountain, the largest plain of granite in the world, for the purpose of having carved thereon a colossal statute as a memorial to the Confederacy; which, when com-

pleted, will be the only monument in the world dedicated to a cause; and

Whereas, The services of that noted sculptor, Gutyon Borglum, have been secured for the purpose of carving said memorial, which will be the art wonder of the world; and

Whereas, The said work already undertaken will extend over a period of from eight to twelve years and at an approximate cost of two million (\$2,000,000) dollars, of which amount only a very small portion has been secured; and

Whereas, The remainder of said funds must be secured by private subscription; now therefore,

Be it resolved, By the General Assembly of Georgia, That the 20th day of May, the anniversary of the date upon which the said mountain was dedicated for the cause, be designated and set apart as a day upon which all Georgians are requested to contribute to this worthy cause, and in the event that the 20th day of May should fall on Sunday, then the following Monday shall be designated instead.

Be it further resolved, That the Governor of the State of Georgia shall within fifteen days prior to the 20th day of May in each year, beginning with the year 1918 and continuing from year to year until said monument is completed and paid for, issue a proclamation in pursuance of this resolution calling the attention of the people of the State to this worthy cause, and designating said day for contributions to the Stone Mountain Memorial Fund.

The Senate resumed consideration of the following unfinished business, to-wit:

By Messrs. Akin and Swift of Muscogee—

A bill to repeal certain Sections of the Code and to levy and collect a tax for the support of the State government.

The following amendments were read and adopted, to-wit:

The committee proposes to amend Section 2, Paragraph 30, by striking out all the words and figures following the word “scales” and down to, and including the figures “\$300.00” therein and inserting in lieu thereof the following:

“Corporations with capital not exceeding \$10,000, the sum of \$10.00.

“Corporations with capital over \$10,000 and not exceeding \$25,000, the sum of \$15.00.

“Corporations with capital over \$25,000 and not exceeding \$50,000, the sum of \$20.00.

“Corporations with capital over \$50,000 and not exceeding \$75,000, the sum of \$30.00.

“Corporations with capital over \$75,000 and not exceeding \$100,000, the sum of \$50.00.

“Corporations with capital over \$100,000 and not exceeding \$300,000, the sum of \$100.00.

“Corporations with capital over \$300,000 and not exceeding \$500,000, the sum of \$200.00.

“Corporations with capital over \$500,000 and not exceeding \$1,000,000, the sum of \$300.00.

“Corporations with capital over \$1,000,000, the sum of \$400.00.”

The committee proposes to amend Section 2, Paragraph 32, by striking out the words "thirty-five dollars" and inserting in lieu thereof the words "fifty dollars."

The committee proposes to amend Section 2, Paragraph 36, by striking out the words "one-fourth of one per cent.," and inserting in lieu thereof the words "two per cent."

Mr. Field moved to reconsider the action of the Senate in adopting the foregoing amendment and upon this motion the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Edwards, Chas. H.	Leonard, R.
Beauchamp, J. C.	Ficklen, Boyce	Logan, J. B. G.
Beck, E. H.	Field, Alonzo	Moore, J. B.
Flackwell, F. M.	Gilmore, George	Redwine, C. D.
Eynum, T. L.	Heath, E. V	Skelton, J. H.
Carswell, Geo. H.	Hendricks, W. H.	Stevens, C. O.
Dickerson, R. G.	Hopkins, H. W	Wohlwender, Ed
Dukes, J. P	Hullender, W. C.	Yeoman, Sol. J.
Dykes, J. R.	Humber, R. T., Jr.	

Those voting in the negative were Messrs.—

Brown, T. A.	Loftin, Frank S.	Price, H. H.
Council, M. B.	Merry, H. H.	Riner, M. T.
Davison, James.	Mills, Joe Brown	Townsend, S. C.
Denny, R. A.	Cdom, J. C.	Weaver, W. F
Kirby, J. T.	Peacock, D. Roscoe	

Those not voting were Messrs.—

DeJarnette, H. R.	Elders, H. H.
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Ayes 26; nays 14.

The amendment was reconsidered.

Upon the adoption of the amendment to Section

2, Paragraph 36, proposed by the committee, the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Brown, T. A.	Kirby, J. T.	Riner, M. T.
Council, M. E.	Loftin, Frank S.	Townsend, S. C.
Davison, James.	Merry, H. H.	Weaver, W. F.
Denny, R. A.	Mills, Joe Brown	

Those voting in the negative were Messrs.—

Andrews, W. P.	Edwards, Chas. H.	Leonard, R.
Beauchamp, J. C.	Ficklen, Boyce	Logan, J. B. G.
Beck, E. H.	Field, Alonzo	Moore, J. B.
Blackwell, F. M.	Gilmore, George	Redwine, C. D.
Bynum, T. L.	Heath, E. V.	Skelton, J. H.
Carswell, Geo. H.	Hendricks, W. H.	Stevens, C. O.
Dickerson, R. G.	Hopkins, H. W.	Wohlwender, Ed
Dukes, J. P.	Hullender, W. C.	Yeoman, Sol. J.
Dykes, J. R.	Humber, R. T., Jr.	

Those not voting were Messrs.—

DeJarnette, H. R.	Odom, J. C.	Price, H. H.
Elders, H. H.	Peacock, D. Roscoe	

Ayes 11; nays 26.

The committee amendment was lost.

The following amendments were read and adopted, to-wit:

By Mr. Weaver—

Amend Paragraph 40, Section 2, by adding the following: *Provided, further*, that no Confederate Veteran, indigent person, firm or corporation shall be exempted from this Section.

The committee proposes to amend Section 2, Paragraph 46, by striking out the words “fifty thousand” wherever they occur in said paragraph and

inserting in lieu thereof the words "forty thousand."

The committee moves to amend Section 2, Paragraph 57, by striking from said Section, the words, to-wit: "One hundred" and insert in lieu thereof words as follows: "Five hundred."

The committee proposes to amend Section 2, Paragraph 60, by striking all the words in said Paragraph and inserting in lieu thereof the following words, to-wit

"Upon all persons, firms or corporations carrying on the business of operating garages, either for storage or repairing cars, or keeping cars for hire, fifteen dollars in towns or cities of more than 10,000 population; in cities or towns of more than 5,000 and less than 10,000 population, the sum of ten dollars, and in towns or cities of more than one thousand and less than five thousand population, the sum of five dollars."

The committee proposes to amend Section 2 by striking all words in Paragraph 61 and inserting in lieu thereof the following words, to-wit: "Upon all persons, firms or corporations, whose chief or principal business is the operating of pumps or stations for purpose of selling gasoline or any substitute for same in cities or towns of a population of more than 10,000, fifteen dollars for each pump, and in all places of a population of less than 10,000, five dollars for each pump."

The committee proposes to amend Section 2, Paragraph 65, by inserting between the word "on"

and the word "the" in the first line thereof the words "for profit."

The committee proposes to amend Section 2, Paragraph 68, by striking all the words therein and inserting in lieu thereof the following "Upon all persons, firms and corporations operating for profit a bicycle messenger service, \$20.00.

By Mr. Townsend—

Strike out all of Paragraph 70, Section 2, beginning with word "provided" down to and including the word "school."

The committee proposes to amend Section 2, Paragraph 75, by striking therefrom the words "fifty dollars" and inserting in lieu thereof the words "twenty-five dollars."

The committee proposes to amend Section 2, Paragraph 80, by adding at the end thereof the words: "Upon all power propelled laundries the sum of \$50.00 each."

The committee moves to amend Section 2, Paragraph 82, by striking from said Paragraph all of the words therein and inserting in lieu thereof the following words, to-wit: "Upon all persons, firms or corporations doing a cemetery business or operating an agency or office for pecuniary gain, fifty dollars."

Mr. Denny, of the 42nd District, Vice-Chairman of the Committee on Finance, submitted the following report:

Mr. President:

Your Committee on Finance has had under con-

sideration the following resolution of the House, and instructed me, as their vice-chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A resolution to provide for the payment of a pension to Mrs. Catherine Dale, widow of John A. Dale, of Banks County.

R. A. DENNY, Vice-Chairman.

The following House resolutions were read and adopted, to-wit:

By Mr. Parker of Ware—

A resolution authorizing the Penitentiary Committees of the House and Senate to visit the convict camps and the prison farm during vacation.

By Mr. Morris of Cobb—

A resolution to authorize the Committee on University of Georgia to visit said institution and its branches in vacation.

By Mr. Akin of Glynn—

A resolution inviting the National Tax Congress to meet in Atlanta.

The following House bills were read the first time, to-wit:

By Messrs. Jones of Lowndes, McCall of Brooks and others—

A bill to abolish the fee system in the Southern Judicial Circuit.

Referred to General Judiciary Committee No. 1.

By Mr. Jones of Elbert—

A bill to authorize the creation of a Home Guard.

Referred to Committee on Military Affairs.

By Mr. Blalock of Claxton, and others—

A bill to abolish the fees of Solicitor-General of Stone Mountain Judicial Circuit.

Referred to Special Judiciary Committee.

By Mr. Pace of Sumter—

A bill to abolish the fee system in the Southwestern Judicial Circuit.

Referred to Committee on Special Judiciary.

By Mr. Carter of Bacon—

A bill to abolish the fee system in the Superior Courts of the Waycross Judicial Circuit.

Referred to Committee on Special Judiciary.

By Messrs. Middleton of Early and Pickett of Terrell—

A bill to abolish the fee system in the Pataula Circuit.

Referred to Committee on Special Judiciary.

By Messrs. Neill, Swift and Hatcher of Muscogee—

A bill to abolish the fee system in the Superior Courts of the Chattahoochee Circuit.

Referred to Committee on Special Judiciary.

By Messrs. Hall and Fowler of Bibb—

A bill to amend the Act creating the Municipal Court of Macon.

Referred to Committee on General Judiciary No. 2.

By Messrs. Swift of Muscogee and Turner of Brooks—

A bill to appropriate \$5,000 to the W and A. Railroad Commission.

Referred to Appropriations Committee.

By Mr. Hall of Bibb—

A bill to authorize the county treasurers of this State to deposit county funds in any bank designated by law as a depository for State funds.

Referred to Committee on Banks and Banking.

By Mr. Barrett of Pike—

A bill to abolish the fee system in the Superior Courts of Flint Judicial Circuit.

Referred to Committee on Special Judiciary

By Messrs. DuBose and Brown of Clarke and Shannon of Twiggs—

A bill to accept the provisions of an Act of Congress of the United States, entitled an Act to provide for the promotion of vocational education.

Referred to Committee on Education.

Upon motion of Mr. Carswell, the Senate voted that when it adjourns, it stands adjourned until 3:30 o'clock P M.

The following House resolution was read the second time, to-wit:

By Messrs. Jones and Adams of Elbert—

A resolution to declare and establish boundary between Georgia and South Carolina, by suit in the United States Supreme Court.

The Senate took a recess until 3:30 o'clock P. M.

SENATE CHAMBER, 3:30 o'clock P. M.

The Senate reconvened and was called to order by the President.

By unanimous consent the call of the roll was dispensed with.

The following House bills and resolution were read the second time, to-wit:

By Mr. Ellis of Tift County—

A bill to amend an Act to incorporate the Town of Ty Ty.

By Mr. Burt of Dougherty—

A bill to amend an Act establishing the City Court of Albany

By Mr. Reiser of Effingham—

A bill to perfect title in trusts to the Trustees of Effingham Academy.

By Mr. Harden of Banks—

A resolution to provide for the payment of a pension to Mrs. Catherine Dale, widow of John A. Dale.

Mr. Weaver, of the 23rd District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr. President:

Your Committee on Special Judiciary has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill abolishing the fee system in the Superior Courts of the Waycross Judicial Circuit.

A bill abolishing the fees of Solicitor-General of Stone Mountain Judicial Circuit and providing a salary instead.

A bill abolishing the fee system in the Superior Courts of Flint Judicial Circuit as applies to the Solicitor-General.

A bill abolishing the fee system in the Superior Courts of Southwestern Judicial Circuit.

A bill abolishing the fee system in the Pataula Judicial Circuit.

A bill abolishing the fee system in the Superior Courts of Chattahoochee Circuit as applicable to Solicitor-General.

Respectfully submitted,

W F WEAVER, Chairman.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills and resolutions of the House, to-wit:

A bill to prevent the shipment of tick infested cattle into and within the State of Georgia.

A bill to abolish the fee system in the Superior Courts of the Brunswick Judicial Circuit.

A bill to establish an Agricultural and Normal School in this State as a branch of the University of Georgia.

A bill to amend an Act providing in what manner the funds of Washington County are to be handled.

A resolution for the relief of Sam Kimsey.

A resolution to relieve J. H. Young as surety on bond.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has read and agreed to Senate amendments to the following bills of the House, to-wit:

A bill to amend Section 6165 of the Code of 1910, relative to filing of bond under bills of exceptions.

A bill to repeal an Act to create the office of Supervisor of Roads and Revenues of the County of Bryan.

The following House bill was returned by request of the Senate:

A bill to fix the salary of the Treasurer of Dodge County

Mr. Loftin, of the 37th District, Chairman of the Committee on Pensions, submitted the following report:

Mr. President:

Your Committee on Pensions has had under consideration the following resolution of the House,

and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, as amended, to-wit:

A resolution to pay Mary F Dantzler her pension for the year 1917

Respectfully submitted,

FRANK S. LOFTIN, Chairman.

Mr. Skelton, of the 31st District, Chairman of the Committee on Corporations, submitted the following report:

Mr President:

Your Committee on Corporations has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend an Act incorporating the City of Jefferson.

A bill to amend the charter of the City of Macon.

A bill to amend an Act creating the charter of the City of Newnan.

A bill to amend an Act incorporating the Town of Maxeys.

A bill to amend the charter of City of Griffin.

A bill to amend an Act establishing a Board of Lights and Waterworks for City of Marietta.

Respectfully submitted,

JAMES H. SKELTON, Chairman.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and and County Matters, submitted the following report:

Mr President:

Your Committee on Counties and County Matters has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, as amended, to-wit:

A bill to amend an Act creating the office of Commissioners of Roads and Revenues for the County of Henry.

Respectfully submitted,

BECK, Chairman.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and and County Matters, submitted the following report:

Mr President:

Your Committee on Counties and County Matters has had under consideration the following bills of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill authorizing the county authorities of Banks County to construct bridges, piers, public highways, etc., by convict labor.

A bill to regulate the sale and storing of seed cotton in Lowndes County.

Respectfully submitted,

BECK, Chairman.

Mr. Loftin, of the 37th District, Chairman of the Committee on Pensions, submitted the following report:

Mr President:

Your Committee on Pensions has had under consideration the following resolutions of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A resolution to pay a pension to Georgia A. Dasher.

A resolution to pay pension for 1917 to Ellen C. Smith.

A resolution for the relief of Sarah A. Wilson.

A resolution to pay pension to O. G. Roberts for year 1916.

A resolution to appropriate to pay pension of Mrs. L. M. Tyson.

A resolution to pay per diem and expenses of travel due W. J. Eakes to his widow.

Respectfully submitted,

FRANK S. LOFTIN, Chairman.

Mr. Loftin, of the 37th District, Chairman of the Committee on Pensions, submitted the following report:

Mr President:

Your Committee on Pensions has had under consideration the following resolution of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do not pass, to-wit:

A resolution to provide for payment of pension to Mrs. S. E. Moore.

Respectfully submitted,

FRANK S. LOFTIN, Chairman.

The following House bill was read the second time and recommitted to the Committee on Appropriations, to-wit:

By Mr. Hall of Bibb—

A bill to make appropriations for the support of the State government for the year 1918.

By unanimous consent the following House bill was reconsidered, to-wit:

By Mr. Cravey of Dodge—

A bill to fix the salary of the Treasurer of Dodge County.

By unanimous consent the foregoing bill was taken up to be put upon its passage.

The following amendment was read and adopted, to-wit:

By Mr. Peacock—

Strike the word “January” and substitute the word “July.” and also strike the figures “1918” and substitute “1919,” wherever they occur in Section one.

The report of the committee, which was favorable to the passage of the bill, was agreed to, as amended.

Upon the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed, as amended.

The Senate resumed consideration of the following unfinished business, to-wit:

By Messrs. Akin and Swift—

A bill to repeal certain Sections of the Code and to levy and collect a tax for the support of the State government.

The following amendments were read and adopted, to-wit:

By Mr. Bynum—

Amend Paragraph 86 of Section 2, by inserting between the word “broker” and the words “twenty-five” in the first line, the following words, to-wit: “who do business in cities or towns of 5,000 population and over.”

By Mr. Skelton—

Strike all of Paragraph 89 of Section 2.

The committee proposes to amend Section 2, Paragraph 98, by striking out the following words, to-wit: “Ten dollars when such agent sells in more than one county.”

The committee proposes to amend Section 2, Paragraph 99, by striking out the words “three hundred dollars” and inserting in lieu thereof the words “fifty dollars.”

The committee proposes to amend Section 2, Paragraph 124, by inserting after the word “vaults” and before the word “ten” in said paragraph the words “vault fixtures.”

By Mr. Ficklen—

That the words “and vault doors” be added immediately after the word “fixtures” in Paragraph 124.

The committee proposes to amend Section 2, Paragraph 132, by striking therefrom all of said paragraph.

The committee proposes to amend Section 2 by adding thereto the following paragraph to be consecutively numbered, to-wit: "Upon all persons, firms or corporations acting as said agents for mineral waters the sum of \$20.00."

The committee proposes to amend Section 2 by adding thereto the following paragraph to be consecutively numbered: "Upon all persons, firms, or corporations engaged in putting up in bottles or other containers mineral waters for sale, the sum of \$10.00."

The committee proposes to amend Section 2 by adding thereto the following paragraph to be numbered consecutively, to-wit: "Upon all persons, firms, or corporations operating motor boats, steamboats, or sail boats for hire the sum of \$5.00, provided they have not paid the corporation tax already named in this bill."

The committee proposes to amend Section 2 by adding thereto another paragraph to be consecutively numbered as follows, to-wit: "And upon all persons engaged in the business of pilot for any water craft the sum of \$10.00."

The committee proposes to amend Section 2 by adding thereto another paragraph to be consecutively numbered as follows, to-wit: "Upon wholesale manufacturers, or dealers in ice cream, the sum of \$10.00."

The committee proposes to amend Section 2 by adding thereto another paragraph to be consecutively numbered as follows, to-wit: "Upon all persons, firms, or corporations operating slot machines propelling electric fans, the sum of \$10.00, in each town or city where used."

The committee proposes to amend Section 2 by adding thereto another paragraph to be consecutively numbered as follows, to-wit: "Upon all persons, firms, or corporations owning, or operating fruit and vegetable cars from which such products are sold direct in less than car-load lots, the sum of \$25.00, in each county in which they shall make such sales, provided, that this shall not apply to Georgia grown products."

The following amendment was read and adopted, to-wit:

By Mr. Redwine—

Amend Section 11 of printed bill by striking all the words, beginning in line 16 of said Section, after the word "provided" to the words "by law" in line 23 of said Section.

Mr. Wohlwender moved to reconsider sub-Section 62 of Section 2.

The motion prevailed.

Mr. Wohlwender moved to amend sub-Section 62, Section 2, by striking out the word "makers" after the word "tent," and insert the word "manufacturers."

The motion prevailed.

Mr. Carswell moved to reconsider sub-Section 62, Section 2.

The motion prevailed.

Mr. Carswell moved to strike out sub-Section 59, Section 2.

The motion prevailed.

Upon motion the bill was tabled.

The following House bills and resolutions were read the first time, to-wit:

By Messrs. Hodges and Swint of Washington—

A resolution for the relief of W Sam Askew.

Referred to Appropriations Committee.

By Messrs. Akin, Frohock, and others—

A bill to abolish the fee system in Superior Courts of the Brunswick Judicial Circuit.

Referred to Committee on Special Judiciary.

By Mr. Burt of Dougherty—

A bill to establish an Agricultural and Normal School as a branch of the University of Georgia.

Referred to Committee on University of Georgia.

By Mr. Ellis of Tift—

A resolution for the relief of J. H. Young as surety on bond of Sam Bennett.

Referred to Committee on Special Judiciary.

By Messrs. Davis of Laurens and Staten of Lowndes—

A bill to prevent the shipment of tick infested cattle into and within the State of Georgia.

Referred to Committee on Agriculture.

By Messrs. Hodges and Swint of Washington—

A bill to amend an Act approved August 18, 1916, providing in what manner the funds of Washington County shall be handled.

Referred to Committee on Counties and County Matters.

By Mr. Staten of Lowndes—

A bill to regulate the sale and storing of seed cotton in the County of Lowndes.

Referred to Committee on Counties and County Matters.

By Mr. Harden of Banks—

A bill to authorize the county authorities of Banks County to construct bridges, piers and abutments by convict labor.

Referred to Committee on Counties and County Matters.

Upon motion the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.

Tuesday, August 14, 1917

The Senate met pursuant to adjournment at 10 o'clock A. M. and was called to order by the President.

Prayer was offered by the Chaplain.

By unanimous consent the call of the roll was dispensed with.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Gilmore, of the 20th District, Chairman of the Committee on Agriculture, submitted the following report:

Mr President:

Your Committee on Agriculture has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, as amended, to-wit:

House Bill No. 39, a bill to prevent the shipment of tick infested cattle into and within the State.

Respectfully submitted,

GEORGE GILMORE, Chairman.

Mr. Brown, of the 41st District, Vice-Chairman of the Committee on Penitentiary, submitted the following report:

Mr President:

Your Committee on Penitentiary has instructed me to report:

That in July the committee visited and inspected the State farm and penal institutions at Milledgeville; they found the institutions in good, sanitary condition and those persons held in detention were apparently as well cared for as could be expected, considering the facilities provided by the State for this purpose. A few minor matters were personally brought to the attention of the Prison Commission.

Respectfully submitted,

T. A. BROWN, Vice-Chairman.

Mr. Stevens, of the 30th District, Chairman of the Committee on University of Georgia, submitted the following report:

Mr. President:

Your Committee on University of Georgia has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to organize an Agricultural and Normal School in this State as a branch of the University of Georgia.

Respectfully submitted,

STEVENS, Chairman.

Mr. Carswell, of the 21st District, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President:

Your Committee on Appropriations has had under consideration the following resolution of the House, and instructed me, as their chairman, to re-

port the same back to the Senate, with the recommendation that the same do pass, to-wit:

A resolution for the relief of W Sam Askew.

Respectfully submitted,

CARSWELL, Chairman.

Mr. Weaver, of the 23rd District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr. President:

Your Committee on Appropriations has had under consideration the following bill and resolution of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to abolish the fee system in the Superior Courts of the Brunswick Judicial Circuit as applies to the Solicitor-General.

A resolution to relieve J. H. Young as surety on the bond of Sam Bennett.

Respectfully submitted,

W F WEAVER, Chairman.

Mr. Elders, of the 2nd District, Chairman of the Committee on Education, submitted the following report:

Mr. President:

Your Committee on Education has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

House Bill No. 216, to accept the provision of the Smith-Hughes fund.

Respectfully submitted,

H. H. ELDERS, Chairman.

Mr. Beck, of the 43rd District, Chairman of the Committee on Counties and County Matters, submitted the following report:

Mr President:

Your Committee on Counties and County Matters has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend an Act providing in what manner the funds of Washington County are to be handled.

Respectfully submitted,

BECK, Chairman.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills and resolutions of the Senate, to-wit:

A bill to amend an Act creating a Department of Commerce and Labor.

A bill fixing the time when the State and county tax books shall close.

A bill to authorize National banks in this State to act as trustees, executors, administrators, etc.

A bill to declare the law of escheats where person dies intestate and without ascertainable heirs before receiving possession of the property.

A resolution to pay the per diem of Hon. A. A. McCurry to his widow.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has passed by substitute by the requisite constitutional majority the following bill of the Senate, to-wit:

A bill to fix the age of consent of female children.

The House has adopted the following resolutions of the Senate, to-wit:

A resolution providing that statement be mailed to each member of the General Assembly showing status of unfinished business of session of 1917

A resolution requesting that the House reconsider its action in concurring to Senate amendment to House Bill No. 501.

The House has passed as amended, by the requisite constitutional majority, the following bill of the Senate, to-wit:

A bill to relieve the property of tax-receivers of this State from any lien prior to the execution against them.

The following House bills were read the second time and recommitted, to-wit:

By Messrs. Middleton and Pickett—

A bill to abolish the fee system in the Pataula Circuit.

Recommitted to Committee on Special Judiciary.

By Messrs. Hall and Fowler—

A bill to amend an Act creating the Municipal Court of City of Macon.

Recommitted to General Judiciary Committee No. 2.

The following House bill was read the second time and recommitted, to-wit:

By Mr. Barrett of Pike—

A bill to abolish the fee system in the Flint Judicial Circuit.

Recommitted to Committee on Special Judiciary.

The following House resolution and bills were taken up for a third reading to be put upon their passage, to-wit:

By Mr. Lanier of Bulloch—

A resolution to appropriate \$50.00 to W. S. Pretorius, J. A. Brannen and J. G. Watson, money paid for a bank charter, not used by them.

The report of the committee, which was favorable to the passage of the resolution, was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Pynum, T. L.	Dukes, J. P.
Beauchamp, J. C.	Carswell, Geo. H.	Dykes, J. R.
Beck, E. H.	Council, M. B.	Edwards, Chas. H.
Blackwell, F. M.	Denny, R. A.	Elders, H. H.
Brown, T. A.	Dickerson, R. G.	Ficklen, Boyce

Field, Alonzo	Leonard, R.	Redwine, C. D.
Gilmore, George	Loftin, Frank S.	Riner, M. T.
Heath, E. V	Logan, J. B. G.	Skelton, J. H.
Hendricks, W. H.	Merry, H. H.	Stevens, C. O.
Hopkins, H. W.	Mills, Joe Brown	Weaver, W. F.
Hullender, W. C.	Moore, J. B.	Wohlwender, Ed.
Humber, R. T., Jr.	Odom, J. C.	Yeoman, Sol. J.
Kirby, J. T.		

Those not voting were Messrs.—

Davison, James.	Peacock, D. Roscoe	Townsend, S. C.
DeJarnette, H. R.	Price, H. H.	

Ayes 37; nays 0.

The resolution having received the requisite constitutional majority was passed.

By Messrs. Fowler and Hall of Bibb—

A bill to amend the charter of the City of Macon.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Staten of Lowndes—

A bill to regulate the sale and storing of seed cotton in the County of Lowndes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Holder and Ayers of Jackson—

A bill to amend an Act incorporating the City of Jefferson.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Grantland of Spalding—

A bill to amend the charter of the City of Griffin.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Harden of Banks—

A bill to authorize the county authorities of Banks County to construct bridges, abutments, piers, etc., on public highways by convict labor.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Bankston of Troup—

A bill to incorporate the Town of Southwest La-Grange.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Ellis of Tift—

A bill to amend the charter of the Town of Ty Ty.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Wyatt of Troup—

A bill to amend the charter of the City of La-Grange.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Morris and Cheney of Cobb—

A bill to amend an Act establishing a Board of Lights and Waterworks for the City of Marietta.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Howard of Oglethorpe—

A bill to amend the charter of the Town of Maxeys.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Arnold and Jones of Coweta—

A bill to amend the charter of the City of Newnan.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Burt of Dougherty—

A bill to amend an Act establishing the City Court of Albany in the County of Dougherty.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Reiser of Effingham—

A bill to perfect titles in trusts to the Trustees of Effingham Academy and their successors in trust.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Bellah of Henry—

A bill to amend an Act creating the office of Commissioners of Roads and Revenues for the County of Henry.

The report of the committee, which was favorable to the passage of the bill, as amended, was agreed to.

On the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitu-

tional majority was passed, as amended, and the amendment is as follows, to-wit:

The committee proposes to amend by adding at the end of Section 2 of said bill, the following: "Provided, the provisions of this Act shall not become operative until May 1, 1918."

The following House bills and resolutions were read the second time, to-wit:

By Mr. Pace of Sumter—

A bill to abolish the fee system now existing in the Superior Courts of the Southwestern Judicial Circuit.

By Messrs. Hodges and Swint of Washington—

A bill to amend an Act approved August 18, 1916, providing in what manner the funds of Washington County are to be handled.

By Mr. Carter of Bacon—

A bill abolishing the fee system now existing in the Superior Courts of the Waycross Judicial Circuit.

By Mr. Ellis of Tift—

A resolution to relieve J. H. Young as surety on the bond of Sam Bennett.

By Mr. DuBose of Clarke, and others—

A bill to accept the provisions of an Act of Congress approved February 23, 1917, entitled an Act to provide for the promotion of vocational education.

By Mr. Blalock of Clayton, and others—

A bill to abolish the fees of Solicitor-General of

Stone Mountain Judicial Circuit and to provide for payment of said Solicitor-General a salary

By Mr. Akin of Glynn, and others—

A bill to abolish the fee system now existing in the Superior Courts of the Brunswick Judicial Circuit as applied to the office of Solicitor-General.

By Messrs. Davis of Laurens and Staten of Lowndes—

A bill to prevent the shipment of tick infested cattle into and within the State of Georgia, providing penalties for same.

By Messrs. Neill, Swift and Hatcher of Muscogee—

A bill to abolish the fee system now existing in the Superior Courts of the Chattahoochee Circuit as applied to Solicitor-General.

By Mr. Jones of Lowndes, and others—

A bill to abolish the fee system in the Southern Judicial Circuit as applied to the Solicitor-General.

By Mr. Jones of Elbert—

A bill to authorize the creation of a Home Guard or State Constabulary, to regulate the same, and for other purposes.

By Messrs. Hodges and Swint of Washington—

A resolution for the relief of W Sam Askew

By Mr. Burt of Dougherty—

A bill to establish and organize an Agricultural and Normal School in this State as a branch of the University of Georgia.

The following Senate bill was taken up for the purpose of acting on House amendments, to-wit:

By Mr. Andrews—

A bill to relieve the property of tax-receivers of this State from any lien prior to the execution against them for the payment of any taxes collected by them and for the failure of any official duty.

The House proposes to amend Senate Bill No. 80, by striking from caption thereof in first line the words “Park’s Annotated Code” and inserting in lieu thereof the words “the Code of Georgia of 1910.”

Also by adding the words “of Georgia” in line three of Section 2, after the word “Code.”

The amendments of the House were concurred in.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Nelms:

Mr President:

I am directed by His Excellency, the Governor, to deliver to the Senate a written communication, to which he respectfully invites the consideration of your honorable body

The following Senate bill was taken up for the purpose of acting on amendments of the House, to-wit:

By Mr. Andrews—

A bill to amend an Act creating the Department of Commerce and Labor.

The House proposed to amend the bill as follows, to-wit

Amend by striking from Paragraph A of Section 2, the following words, "Provided, that nothing in this paragraph shall authorize the Commissioner to take any action whatever in cases of strikes and lockouts."

2. The House further amends Senate bill No. 1 as follows: By striking the following words in Paragraph B of Section 2: "Provided, that the provisions of this Act shall not apply to teachers' agencies securing employment for teachers exclusively."

The Senate on motion of Mr. Andrews, disagreed to the first amendment and agreed to the second amendment.

The following House bill was taken up for a third reading to be put upon its passage, to-wit:

By Messrs. Cheney of Cobb and Stewart of Coffee—

A bill to create a Bureau of Markets for agricultural products and to provide for the appointment of a Director of Market Bureau, etc.

The following amendment was read, to-wit:

By Mr. Heath—

Amend by striking the words: "The Commissioner of Agriculture is hereby authorized to appoint such competent and experienced persons to assist the director," and by inserting the words: "The director is hereby authorized to appoint such competent and experienced persons to assist."

Upon the adoption of the amendment the ayes and nays were ordered, and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Brown, T. A.	Dukes, J. P.	Mills, Joe Brown
Council, M. B.	Edwards, Chas. H.	Price, H. H.
Davison, James.	Heath, E. V.	Weaver, W. F.
Denny, R. A.	Merry, H. H.	

Those voting in the negative were Messrs.—

Andrews, W. P.	Field, Alonzo	Moore, J. B.
Beauchamp, J. C.	Gilmore, George	Odom, J. C.
Beck, E. H.	Hendricks, W. H.	Redwine, C. D.
Blackwell, F. M.	Hopkins, H. W.	Riner, M. T.
Bynum, T. L.	Hullender, W. C.	Skelton, J. H.
Carswell, Geo. H.	Humber, R. T., Jr.	Stevens, C. O.
Dickerson, R. G.	Kirby, J. T.	Townsend, S. C.
Dykes, J. R.	Leonard, R.	Wohlwender, Ed
Elders, H. H.	Loftin, Frank S.	Yeoman, Sol. J.
Ficklen, Boyce	Logan, J. B. G.	

Those not voting were Messrs.—

DeJarnette, H. R.	Peacock, D. Roscoe
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Ayes 11; nays 29.

The amendment was lost.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes and nays were as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Elders, H. H.	Logan, J. B. G.
Beauchamp, J. C.	Ficklen, Boyce	Merry, H. H.
Beck, E. H.	Field, Alonzo	Moore, J. B.
Blackwell, F. M.	Gilmore, George	Odom, J. C.
Bynum, T. L.	Heath, E. V.	Redwine, C. D.
Carswell, Geo. H.	Hendricks, W. H.	Riner, M. T.
Council, M. B.	Hopkins, H. W.	Skelton, J. H.
Davison, James.	Hullender, W. C.	Stevens, C. O.
Denny, R. A.	Humber, R. T., Jr.	Townsend, S. C.
Dickerson, R. G.	Kirby, J. T.	Weaver, W. F.
Dykes, J. R.	Leonard, R.	Wohlwender, Ed
Edwards, Chas. H.	Loftin, Frank S.	Yeoman, Sol. J.

Those voting in the negative were Messrs.—

Brown, T. A.

Mills, Joe Brown

Those not voting were Messrs.—

DeJarnette, H. R.

Peacock, D. Roscoe

Price, H. H.

Dukes, J. P

Ayes 36; nays 2.

The bill having received the requisite constitutional majority was passed.

The following message from the Governor was read, to-wit:

STATE OF GEORGIA,

EXECUTIVE DEPARTMENT.

August 14, 1917.

To the General Assembly:

With a desire to assist you in reaching a proper solution of the problems with which you are now concerned, I submit a brief statement of the State's financial situation.

The appropriations for the year 1917, made by the Legislature at the Extraordinary Session in 1915, and the Regular Session in 1916, amount to six million nine hundred thousand six hundred fifty-one dollars and fifty (\$6,900,651.50) cents. If you add the deficiency appropriations embodied in the House bill just passed, which amount to one hundred forty-four thousand five hundred (\$144,500.00) dollars, you will have a total of seven million forty-five thousand one hundred fifty-one dollars and fifty (\$7,045,151.50) cents to be paid from the revenues of

1917, which the Comptroller-General now estimates will be six million five hundred and ninety-four thousand eight hundred and eleven (\$6,594,811.00) dollars, which estimate is based on an increase of twenty-three million (\$23,000,000.00) dollars in property values on the digests and five million (\$5,000,000.00) dollars increase in railroad, telephone and telegraph property.

Thus you see that there will almost certainly be a deficiency of four hundred fifty thousand three hundred and forty dollars and fifty (\$450,340.50) cents, and if the estimated increase in property returned for taxation should not materialize, the difference between the State's income and the appropriations already made for the year 1917 would be in excess of the sum stated.

The General Appropriation Bill as passed by the Lower House on Friday carries appropriations aggregating seven million nine hundred and ninety-six thousand two hundred thirty-three dollars and sixty cents (\$7,996,233.60), exclusive of the deficiency appropriations amounting to one hundred and forty-four thousand five hundred (\$144,500.00) dollars mentioned above.

The lower House passed Saturday several appropriation bills which aggregate one hundred and three thousand four hundred (\$103,400.00) dollars, and there are pending in that branch several special pension bills increasing this sum.

These appropriations added to those made in the General Appropriation Bill, which has just passed

the House, after deducting the deficiency appropriations which, of course, must be paid out of this year's revenue, will leave eight million one hundred thousand five hundred thirty-three dollars and sixty (\$8,100,533.60) cents in appropriations to be paid from the revenues of 1918, which revenues the Comptroller-General estimates will be six million seven hundred and forty-seven thousand four hundred (\$6,747,400.00) dollars.

It is thus seen that under the program contemplated by the appropriation bill just passed by the Lower House, there will necessarily be a difference between the State's income and contemplated expenditures for the year 1918 amounting to the sum of one million three hundred and fifty-eight thousand one hundred and thirty-three dollars and sixty (\$1,358,133.60) cents. In making this estimate, the Comptroller-General has anticipated that the State would receive increased revenues under the provisions of the Tax Act already passed by the Lower House. If you should not, therefore, enact a new Tax Act, the difference between the revenues and appropriations would necessarily be in excess of the figures above stated.

I am apprehensive that the taxpayers of the State will be further burdened with the expense incident to the extraordinary session of your body unless you should speedily compromise your differences and pass an appropriation bill wherein the reasonably anticipated revenues of the State will not be exceeded. And the purpose of this message is to impress upon you the injustice you do the people of

the State, the institutions of whose welfare you are the guardians, and the Comptroller-General, the Treasurer, and your Executive, who will be needlessly embarrassed in the conduct of the financial affairs of the State if you should forget the principle applied by every conservative business man to his own affairs and which should be a fundamental canon of State financing, that one should not expend more money than he has in hand or has any reasonable expectation of being able to get.

Respectfully submitted,

A handwritten signature in dark ink, reading "Hugh H. Dorsey". The signature is written in a cursive style with a large, sweeping "H" and a long, trailing "y".

Governor

Mr. Redwine, of the 26th District, Chairman of the Committee on Banks and Banking, submitted the following report:

Mr. President:

. Your Committee on Banks and Banking has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

House Bill No. 288, to be entitled an Act to authorize the treasurers of the counties of this State to deposit county funds in any bank or banking institution which has been designated by law as a depository for State funds, and for other purposes.

Respectfully submitted,

REDWINE, Chairman.

The following House bill was read the second time, to-wit:

By Mr. Hall of Bibb—

A bill to authorize the treasurers of counties of this State to deposit county funds in any bank which has been designated as a State depository.

The following Senate bill was taken up for the purpose of acting on the House substitute, to-wit:

By Mr. Denny—

A bill to define and fix the age of consent.

The House substitute is as follows, to-wit

HOUSE SUBSTITUTE FOR SENATE BILL No. 75.

A BILL

To be entitled an Act to make it a felony for any male person over fourteen years of age to have carnal knowledge of a female person under fourteen years of age; to fix a penalty for the violation of this Act, and for other purposes.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That from and after the passage of this Act it shall be unlawful for any male person who is over fourteen years of age to have carnal knowledge of a female person who is under fourteen years of age, and, upon conviction, such person shall be punished by imprisonment in the penitentiary of Georgia for a term of not less than one or longer than ten years, unless the jury on the trial of the case shall recommend that the offender be punished as for a misdemeanor, in which

event the court shall sentence the accused as for a misdemeanor.

SEC. 2. Be it further enacted by the authority aforesaid, That nothing contained in this Act shall be construed as repealing or affecting the law against rape, seduction, fornication, adultery, or fornication and adultery.

SEC. 3. Be it further enacted by the authority aforesaid, That all laws and parts of laws in conflict herewith be and the same are hereby repealed.

The substitute was concurred in.

The following House bill was read the second time and recommitted to Committee on Appropriations, to-wit:

By Messrs. Swift of Muscogee and Turner of Brooks—

A bill to appropriate five thousand (\$5,000.00) dollars to pay expenses of W & A. R. R. Commission.

The following House bill was taken up for a third reading to be put upon its passage, to-wit:

By Messrs. Johnson of Appling, Turner of Brooks, and others—

A bill to provide for the assurance, registration and transfer of land titles.

The report of the committee, which was favorable to the passage of the bill, was agreed to, as amended.

Upon the passage of the bill the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Beck, E. H.	Brown, T. A.	Council, M. B.
Carswell, Geo. H.	Bynum, T. L.	Davison, James.
Dickerson, R. G.	Hopkins, H. W.	Odom, J. C.
Dukes, J. P.	Hullender, W. C.	Redwine, C. D.
Dykes, J. R.	Humber, R. T., Jr.	Riner, M. T.
Edwards, Chas. H.	Kirby, J. T.	Skelton, J. H.
Elders, H. H.	Leonard, R.	Stevens, C. O.
Ficklen, Boyce	Loftin, Frank S.	Townsend, S. C.
Gilmore, George	Logan, J. B. G.	Weaver, W. F.
Hendricks, W. H.	Merry, H. H.	Yeoman, Sol. J.

Those voting in the negative were Messrs.—

Blackwell, F. M.	Heath, E. V.	Wohlwender, Ed
Field, Alonzo	Moore, J. B.	

Those not voting were Messrs.—

Andrews, W. P.	Denny, R. A.	Peacock, D. Roscoe
Beauchamp, J. C.	Mills, Joe Brown	Price, H. H.
DeJarnette, H. R.		

Ayes 30; nays 5.

The bill having received the requisite constitutional majority was passed.

Upon motion of Mr. Heath, the Senate adjourned until 4 o'clock P. M.

SENATE CHAMBER, 4 O'CLOCK P. M.

The Senate met pursuant to adjournment and was called to order by the President.

Upon the call of the roll the following Senators answered to their names, to-wit:

Andrews, W. P.	Council, M. B.	Elders, H. H.
Beauchamp, J. C.	Davison, James.	Ficklen, Boyce
Beck, E. H.	Denny, R. A.	Field, Alonzo
Blackwell, F. M.	Dickerson, R. G.	Gilmore, George
Brown, T. A.	Dukes, J. P.	Heath, E. V.
Bynum, T. L.	Dykes, J. R.	Hendricks, W. H.
Carswell, Geo. H.	Edwards, Chas. H.	Hopkins, H. W.

Hullender, W. C.	Mills, Joe Brown	Skelton, J. H.
Humber, R. T., Jr.	Moore, J. B.	Stevens, C. O.
Kirby, J. T.	Odom, J. C.	Townsend, S. C.
Leonard, R.	Peacock, D. Roscoe	Weaver, W. F.
Loftin, Frank S.	Price, H. H.	Wohlwender, Ed
Logan, J. B. G.	Redwine, C. D.	Yeoman, Sol. J.
Merry, H. H.	Riner, M. T.	Mr. President

Those absent were Messrs.—

DeJarnette, H. R.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed as amended by the requisite constitutional majority the following bill of the Senate, to-wit:

A bill to create County Treasurer for Tift County.

The House has read and agreed to Senate amendments to the following bill of the House, to-wit:

A bill to amend the charter of the Town of Kirkwood.

A bill to fix the salary of the Treasurer of Dodge County.

A bill to incorporate the City of Lytle.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House insists upon its amendment to the following bill of the Senate, to-wit:

A bill to amend an Act creating the Department of Commerce and Labor.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitu-

tional majority the following bills of the Senate, to-wit:

A bill to allow freight trains to run on Sunday during the present war.

A bill to amend an Act providing for a Normal College at Valdosta.

A bill to amend Section 1973 of the Code of 1910, relative to the salaries of the State Geologist and assistant.

A bill to provide for the appointment of a deputy clerk of the Court of Appeals.

A bill to prevent any person, firm, or corporation within this State from using the flag or National emblem for purposes of advertising.

A bill to amend an Act incorporating the Town of Toombsboro.

A bill to confer upon banking companies the rights, powers and privileges of trust companies.

A bill to authorize County of Banks to construct bridges, piers and abutments on public highways by convict labor.

A bill to amend Act to establish a Board of Lights and Waterworks for the City of Marietta.

A bill to amend the charter of the City of Griffin.

Mr. Weaver, of the 23rd District, Chairman of the Committee on Special Judiciary, submitted the following report

Mr. President:

Your Committee on Spécial Judiciary has had under consideration the following bill of the House, and instructed me, as their chairman, to report the

same back to the Senate, with the recommendation that the same do pass, as amended, to-wit:

A bill to abolish the fee system in the Superior Courts of the Flint Judicial Circuit as applies to the Solicitor-General.

Respectfully submitted,

W F WEAVER, Chairman.

Mr. Dickerson, of the 5th District, Chairman of the Committee on General Judiciary No. 2, submitted the following report:

Mr. President:

Your Committee on General Judiciary No. 2 has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, as amended, to-wit:

A bill to amend the Act creating the Municipal Court of the City of Macon.

Respectfully submitted,

DICKERSON, Chairman.

Mr. Carswell, of the 21st District, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President:

Your Committee on Appropriations has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to appropriate \$5,000.00 to W & A. R. R. Commission.

Respectfully submitted,

CARSWELL, Chairman.

Mr. Carswell, of the 21st District, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President:

Your Committee on Appropriations has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, as amended, to-wit:

A bill to make appropriations for the support of the State government for 1918, and for other purposes.

Respectfully submitted,

CARSWELL, Chairman.

Upon motion of Mr. Andrews, the Senate insists on its action in refusing to agree to amendment No. 1 of the following bill of the Senate, to-wit:

By Mr. Andrews—

A bill to amend an Act creating the Department of Commerce and Labor:

Upon motion of Mr. Andrews, the Senate voted to ask for a committee on conference upon the above bill.

The President appointed the following Senators as the members of the conference committee, on part of the Senate, to-wit:

Messrs. Andrews, Elders and Logan.

The following House bill was taken up for a third reading to be put upon its passage, to-wit:

By Messrs. Atkinson, Smith and White of Fulton—

A bill to appropriate \$30,000 to the Trustees of the University of Georgia for the use of the School of Technology.

The report of the committee, which was favorable to the passage of the bill was agreed to.

Upon the passage of the bill the ayes and nays were as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Heath, E. V.	Odom, J. C.
Beauchamp, J. C.	Hendricks, W. H.	Peacock, D. Roscoe
Flackwell, F. M.	Hopkins, H. W.	Price, H. H.
Carswell, Geo. H.	Hullender, W. C.	Redwine, C. D.
Council, M. B.	Humber, R. T., Jr.	Riner, M. T.
Denny, R. A.	Kirby, J. T.	Skelton, J. H.
Dykes, J. R.	Leonard, R.	Stevens, C. O.
Edwards, Chas. H.	Loftin, Frank S.	Townsend, S. C.
Elders, H. H.	Logan, J. B. G.	Weaver, W. F.
Ficklen, Boyce	Merry, H. H.	Wohlwender, Ed
Field, Aionzo	Mills, Joe Brown	Yeoman, Sol. J.
Gilmore, George	Moore, J. B.	

Those voting in the negative were Messrs.—

Brown, T. A.

Those not voting were Messrs.—

Beck, E. H.	Davison, James.	Dickerson, R. G.
Bynum, T. L.	DeJarnette, H. R.	Dukes, J. P.

Ayes 35; nays 1.

The bill having received the requisite constitutional majority was passed.

The following House bill was taken up for a third reading to be put upon its passage, to-wit:

By Messrs. Jones and Staten of Lowndes—

A bill to appropriate to the University of Georgia for the use of the South Georgia Normal College at Valdosta, the sum of \$12,500.00.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes and nays were as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	G'Imore, George	Mills, Joe Brown
Beauchamp, J. C.	Heath, E. V.	Odom, J. C.
Blackwell, F. M.	Hendricks, W. H.	Peacock, D. Roscoe
Brown, T. A.	Hopkins, H. W.	Price, H. H.
Bynum, T. L.	Hullender, W. C.	Riner, M. T.
Council, M. B.	Humber, R. T., Jr.	Skelton, J. H.
Denny, R. A.	Eirby, J. T.	Stevens, C. O.
Dickerson, R. G.	Leonard, R.	Townsend, S. C.
Edwards, Chas. H.	Loftin, Frank S.	Weaver, W. F.
Elders, H. H.	Logan, J. B. G.	Wohlwender, Ed
Ficklen, Boyce	Merry, H. H.	Yeoman, Sol. J.
Field, Alonzo		

Those voting in the negative were Messrs.—

Moore, J. B.

Those not voting were Messrs.—

Eck, E. H.	DeJarnette, H. R.	Dykes, J. R.
Carswell, Geo. H.	Dukes, J. P.	Redwine, C. D.
Davison, James.		

Ayes 34; nays 1.

The bill having received the requisite constitutional majority was passed.

The following House bill was read the second time, to-wit:

By Mr. Beall of Richmond—

A bill to provide that all property without a lawful owner shall belong to the State.

The following House resolution and House bills were taken up for a third reading to be put upon their passage, to-wit:

By Mr. Harden of Banks—

A resolution to provide for payment of pension to Mrs. Catherine Dale.

The report of the committee, which was favorable to the passage of the resolution, was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Glmore, George	Vills, Joe Brown
Beauchamp, J. C.	Heath, E. V.	Moote, J. B.
Blackwell, F. M.	Hendricks, W. H.	Com, J. C.
Brown, T. A.	Hopkins, H. W.	Peacock, D. Roscoe
Eynum, T. L.	Hullender, W. C.	Riner, M. T.
Council, M. B.	Hummer, R. T., Jr.	Skelton, J. H.
Denny, R. A.	Kirby, J. T.	Stevens, C. O.
Dickerson, R. G.	Leonard, R.	Townsend, S. C.
Edwards, Chas. H.	Loftin, Frank S.	Weaver, W. F.
Elders, H. H.	Logan, J. B. G.	Wohlwender, Ed
Ficklen, Boyce	Merry, H. H.	Yeoman, Sol. J.
Field, Alonzo		

Those voting in the negative were Messrs.—

Carswell, Geo. H.

Those not voting were Messrs.—

Beck, E. H.	Dukes, J. P.	Price, H. H.
Davison, James.	Dykes, J. R.	Redwine, C. D.
DeJarnette, H. R.		

Ayes 34; nays 1.

The resolution having received the requisite constitutional majority, was passed.

By Mr. Blasingame of Walton, and others—

A bill to appropriate the sum of \$10,000 available for 1918, and \$10,000 available for 1919, for the purpose of erecting a girls' dormitory for the Fifth District Agricultural and Mechanical School located at Monroe, Ga.

The report of the committee, which was favorable to the passage of the resolution, was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows, to-wit.

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Gilmore, George	Peacock, D. Roscoe
Blackwell, F. M.	Heath, E. V	Price, H. H.
Brown, T. A.	Humber, R. T., Jr.	Redwine, C. D.
Bynum, T. L.	Kirby, J. T.	Riner, M. T.
Carswell, Geo. H.	Leonard, R.	Skelton, J. H.
Council, M. B.	Loftin, Frank S.	Stevens, C. O.
Denny, R. A.	Logan, J. B. G.	Townsend, S. C.
Dickerson, R. G.	Merry, H. H.	Weaver, W. F.
Elders, H. H.	Mills, Joe Brown	Wohlwender, Ed
Field, Alonzo	Odom, J. C.	Yeoman, Sol. J.

Those voting in the negative were Messrs.—

Ficklen, Boyce	Hullender, W. C.	Moore, J. B.
Hopkins, H. W		

Those not voting were Messrs.—

Beauchamp, J. C.	DeJarnette, H. R.	Edwards, Chas. H.
Beck, E. H.	Dukes, J. P	Hendricks, W. H.
Davison, James.	Dykes, J. R.	

Ayes 30; nays 4.

The bill, having received the requisite constitutional majority, was passed.

By Messrs. Davenport and Palmour of Hall—

A bill to amend Section 695 of the Civil Code of Georgia of 1910 relative to who is subject to road duty.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 14, nays 12.

The bill having failed to receive the requisite constitutional majority was lost.

By Mr. Clifton of Lee—

A bill to repeal Section 1065 of the Civil Code of Georgia providing that taxes on mines and plantations on county lines shall be returned in the county with the most improvements.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 30, and **nays 0.**

The bill having received the requisite constitutional majority was passed.

By Messrs. Kelley and Green of Gwinnett—

A bill to amend the Drainage Act of 1911 providing for the reclamation of wet, swamp and overflowed lands.

The report of the committee, which was favorable

to the passage of the bill, as amended, was agreed to.

Upon the passage of the bill the ayes were 30, and nays 0.

The bill having received the requisite constitutional majority was passed, as amended, and the amendments are as follows, to-wit:

The committee moves to amend House Bill No. 228, Section 2, by beginning after the word "Section" in line eight (8) of said Section 2, by striking the remainder of said Section and inserting in lieu thereof the following, so that said Section, when so amended, will read as follows:

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by the authority of the same. That an Act providing the reclaiming of the wet, swamp and overflowed lands of the State, approved August 19, 1911, be so amended that where bonds heretofore and hereafter issued thereunder do not in any case exceed the sum of fifty thousand (\$50,000.00) dollars, that the rate of interest thereof may be fixed by the Board of Drainage Commission at not more than eight per cent. per annum.

Also amend House Bill No. 228, Section 1, by inserting between the word "amended" in line six (6) of said Section and the word "that," the first word in line seven of said Section, the following: "As to add a new Section to the Drainage Act as passed in 1911, by adding the following Section 41."

The following Senate bill was taken up for the purpose of acting on House amendments, to-wit:

By Mr. Hendricks—

A bill to create the office of County Treasurer of Tift County.

House amends by adding a new Section No. 5, as follows:

Be it further enacted, That the treasurer elected at the special election herein provided for shall hold office until the first day of January, 1921, and until his successor is elected and qualified, and that the successors to said treasurer shall be elected at the same time and for the same length of time as other county officers.

Amends further by numbering the repealing clause "Section 6."

House amends Section 1, line six, by inserting between the word "county" and the word "under," the following words, to-wit: "On the 29th day of August, 1917 "

The amendments were concurred in.

Upon motion of Mr. Wohlwender the Senate adjourned until tomorrow morning at 9 o'clock.

SENATE CHAMBER, ATLANTA, GA.

Wednesday, August 15, 1917

The Senate met pursuant to adjournment at 9 o'clock A. M. and was called to order by the President.

Prayer was offered by the Chaplain.

By unanimous consent the call of the roll was dispensed with.

Mr. Field gave notice that at the proper time he would move to reconsider the action of the Senate on yesterday, in agreeing to the substitute of the House to Senate Bill No. 75.

Mr. Logan gave notice that at the proper time he would move to reconsider House Bill No. 23.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Field moved to reconsider the action of the Senate on yesterday in agreeing to the House substitute, to the following bill of the Senate, to-wit:

By Mr. Denny—

A bill to define and fix the age of consent.

The motion prevailed and the substitute was reconsidered. -

Mr. Logan moved to reconsider the action of the Senate on yesterday in failing to pass the following bill of the House, to-wit:

By Messrs. Davenport and Palmour of Hall—

A bill to amend Section 695 of the Code of Georgia of 1910, relative to who is subject to road duty.

The motion was lost.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The Speaker has appointed the following members on the part of the House as a Conference Committee on the following bill of the Senate, to-wit:

A bill to amend Act creating the Department of Commerce and Labor.

Messrs. Arnold of Clay,
Russell of Floyd,
Burwell of Hancock.

The House has adopted the following resolution of the House, to-wit:

A resolution authorizing a Committee of House and Senate to investigate the propriety of utilizing certain portions of public domain for the propagation of oysters.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed, as amended, by the requisite constitutional majority the following bill of the Senate, to-wit:

A bill to amend the Act establishing the Georgia School of Technology.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has passed, by substitute, by the requisite constitutional majority the following bill of the Senate, to-wit:

A bill to create and establish the Georgia Council of Defense.

The House has passed, by substitute, as amended, by the requisite constitutional majority, the following bill of the Senate, to-wit:

A bill to amend the Constitution of the State, so as to exempt from taxation endowment of colleges and incorporated seminaries of learning.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has passed by the requisite constitutional majority the following bills of the Senate, to-wit

A bill to provide when Georgia Pensioner shall have the right to transfer and assign his annual pension.

A bill to provide for the execution of interrogatories in vacation.

A bill to regulate fraternal benefit societies with reference to persons less than sixteen years of age.

A bill for the further regulation and control of fraternal benefit societies.

A bill to provide for the establishment and main-

tenance of an Agricultural District School in the 12th Congressional District.

A bill to provide for supplying the officers of the State with Park's Annotated Reprint of the Code of Georgia.

A bill to amend an Act known as the National Forest Reserve Act.

Mr. Hullender, of the 44th District, Chairman of the Committee on Enrollment, submitted the following report:

Mr. President:

Your Committee on Enrollment report as duly enrolled and ready for the signature of the President of the Senate and Speaker of the House, the following Act, to-wit:

An Act to provide for the appointment of a deputy clerk of the Court of Appeals.

Respectfully submitted,
W C. HULLENDER, Chairman.

Mr. Hullender, of the 44th District, Chairman of the Committee on Enrollment, submitted the following report:

Mr. President:

Your Committee on Enrollment report as duly signed by the President of the Senate and Speaker of the House, and delivered to the Governor, the following Act, to-wit:

An Act to provide for the appointment of a deputy clerk of the Court of Appeals.

Respectfully submitted,

W C. HULLENDER, Chairman.

The following House bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Barrett of Pike—

A bill to abolish the fee system now existing in the Superior Courts of the Flint Judicial Circuit.

The report of the committee, which was favorable to the passage of the bill, as amended, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed, as amended, and the amendment is as follows, to-wit:

Amendment by Messrs. Redwine and Beauchamp—

Move to amend by striking all of Section Two in House Bill No. 374, and inserting in lieu thereof a new section to be known as Section Two, which shall read as follows:

“The salary of the solicitor-general of the said Flint Circuit shall be the sum of \$3,500.00 per annum in addition to the salary of \$250.00 per annum prescribed in Paragraph One, Section Thirteen, of Article Six of the Constitution of this State, which said salary (additional to the constitutional salary of \$250 per annum) shall be paid by the counties comprising said Flint Judicial Circuit as follows:

Pike	. \$603.12
Fayette.	233.83
Butts	316.93
Henry	512.12
Monroe	523.66
Spalding	850.18
Upson	460.18

“It shall be and it is hereby made the duty of the Ordinary, County Commissioners, or other authority having control of county matters in each of said counties, to cause the part or portion of said salary above assessed against each of said counties to be paid to said solicitor-general quarterly in each year out of the funds of said counties, that is to say, on the first day of April, July, October and January, and upon regular county warrants issued therefor, and it is further made the duty of said ordinaries, county commissioners, or other county authorities having control of county matters to make provision annually when levying taxes for expense of courts for the levying and collection of sufficient taxes in their respective counties for the purpose of paying the portion of said salary chargeable against the respective counties as above specified, and the power to levy taxes for such purposes is hereby delegated to said counties. Said salary of \$3,500.00 and the constitutional salary of \$250 shall be in full payment of all the services of said solicitor-General for all traveling and other expenses and for all sums paid out by said solicitor-general for clerical aid and legal assistants engaged or em-

ployed by him, except as provided in Section Five in this Act.”

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Nehms

Mr. President:

I am directed by His Excellency, the Governor, to deliver to the Senate a sealed communication to which he respectfully invites the consideration of your honorable body in executive session.

Mr. Weaver, of the 23rd District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr. President:

Your Committee on Special Judiciary has had under consideration the following bill of the House, and instructed me, as their chairman, to report the same back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to abolish the fee system in the Pataula Circuit.

Respectfully submitted,

W F WEAVER, Chairman.

The following resolution was read and adopted:

By Mr. Skelton—

The following resolution was read and adopted, to-wit:

A resolution providing that individual debate on

each paragraph of the appropriation bill be limited to two minutes.

The following bill of the House was taken up for the third reading to be put upon its passage, to-wit:

By Mr. Hall of Bibb—

A bill to make appropriations for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Government, and for other purposes, for the fiscal year 1918.

The following amendments were read and adopted, to-wit:

The committee moves to amend by striking the word “four” in line 34, section 3, page 7, and inserting the word “six,” also by striking the word “seven” in line 34, page 7, and inserting the word “ten.”

The committee proposes to amend section 3, line 49, page 8 of the original bill after the word “expended” the following words: “and the further sum of two hundred and fifty dollars, or so much thereof as may be necessary, is hereby appropriated and made immediately available to pay the expenses of the several committeemen appointed by the Senate and House to attend the funerals of Senators Mundy and McCurry ”

Committee proposes to amend on page 11, line 22 of original bill, by striking “\$20,000.00” and inserting in lieu thereof “\$40,000.00.”

Committee proposes to amend on page 13, line 84, by striking “\$10,000.00” and inserting in lieu thereof “\$13,000.00, five thousand dollars (\$5,000) of which is to be used for the purchase of adjacent real estate.”

Mr. Brown moves to amend section 5 by striking out the words and figures “(\$4,000,000) four million dollars” in line 9, page 14, and inserting in lieu thereof the words and figures the sum of “three million five hundred thousand (\$3,500,000) dollars.”

Upon the adoption of the above amendment the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Beck, E. H.	Dickerson, R. G.	Hullender, W. C.
Brown, T. A.	Edwards, Chas. H.	Logan, J. B. G.
Bynum, T. L.	Elders, H. H.	Townsend, S. C.
Council, M. B.	Hendricks, W. H.	Wohlwender, Ed

Those voting in the negative were Messrs.—

Andrews, W. P.	Gilmore, George	Odom, J. C.
Beauchamp, J. C.	Heath, E. V.	Peacock, D. Roscoe
Blackwell, F. M.	Hopkins, H. W.	Price, H. H.
Carswell, Geo. H.	Humber, R. T., Jr.	Ledwine, C. D.
Davison, James.	Kirby, J. T.	Riner, M. T.
Denny, R. A.	Leonard, R.	Skelton, J. H.
Dukes, J. P.	Loftin, Frank S.	Stevens, C. O.
Dykes, J. R.	Merry, H. H.	Weaver, W. F.
Ficklen, Boyce	Mills, Joe Brown	Yeoman, Sol. J.
Field, Alonzo	Moore, J. B.	

Those not voting were Messrs.—

DeJarnette, H. R.

Ayes 12; nays 29.

The amendment was lost.

The following amendments were read and adopted, to-wit:

Committee proposes to amend section 6, page 14, line 9, by striking "four million dollars" and inserting in lieu thereof "three million dollars."

Committee proposes to amend by striking all of section 7 after the word "paid," in line 181, page 20, and inserting in lieu thereof the following: "For the State Constabulary or Home Guard, or State Militia, the sum of thirty thousand dollars (\$30,000.00). This sum to be used by the Governor, in his discretion, in establishing and maintaining and paying for riot duty said State Constabulary or Home Guard; and the Governor shall apportion said fund between the said State Constabulary or Home Guard and the State Militia as he shall deem best and proper. All funds herein provided for which are not used for the purposes herein set out shall be returned to the general treasury."

By Mr. Andrews—

Amend the printed bill by adding at end of Paragraph 7 a new paragraph between lines 203 and 1 to read as follows:

"To the Military Department of the State, for the exclusive use of the State Council of Defense as created by the present session of the General Assembly the sum of twenty-five hundred (\$2,500.00), or so much thereof as may be necessary, to be used as provided in the Act creating said Georgia Council of Defense and to be paid out only on the warrant of the Governor drawn for that purpose."

Committee proposes to amend Section 8 of House Bill No. 161 in line 6, page 21, by striking out the words: "eight hundred dollars (\$800.00)" and substituting in lieu thereof the words: "fifty-eight hundred dollars (\$5,800.00), for the purpose of repairing and preserving the buildings and other necessary repairs upon the premises of the Agricultural Experiment Station of Georgia at Griffin, Georgia, and for the support and maintenance of said station; for publication and distribution of bulletins, and for incidental and traveling expenses of same."

Committee proposes to amend Section 8, Paragraph 3, by inserting after the word "to," in line 8, and before the word "engineers," in line 9, page 21, the following words "Pay the hire of a stenographer for the Governor," and when amended same will read as follows:

"For the ordinary repairs of public buildings; to purchase coal, wood, lights, furniture, for the Executive Mansion and the various departments of the State Government, to pay the hire of a stenographer for the Governor, engineers, guards, watchman, servants at the Mansion, and such porters for the various departments as the Governor may employ, and for general expenses incident to the keeping in proper condition of the public buildings and grounds, and to hire such other labor as may be necessary, the sum of thirty thousand dollars (\$30,000.00). Out of this appropriation the sum of eighteen hundred dollars (\$1,800.00) per annum shall be paid to the Keeper of Public Buildings and

Grounds, as his salary. The Governor shall require itemized accounts of all payments out of this fund before drawing warrants therefor. Also, the further sum of twelve thousand dollars (\$12,000.00), to supply a deficiency in the said sum for the year 1917, which shall become available and payable during the year 1917,”

Committee proposes to add at the end of Section 8 page 22: “For salary of Factory Inspector of Department of Commerce and Labor, authorized by Act of the General Assembly, approved August 19, 1916, twelve hundred dollars (\$1,200.00).”

The committee amends by adding at the end of section 8, page 22, the following words, to-wit: “For Charles W Crankshaw the principal sum of \$1,300.00 and the sum of \$910.00 as interest from 1907 upon silver ordered by Governor Terrell for the battleship Georgia, which silver service was delivered and engraved as a presentation to said ship from the State of Georgia, and never been paid for.”

Committee proposes to amend by adding a new section to be section 12 and number remaining sections accordingly.

“SEC. 12. Be it further enacted, That the Governor, the Attorney-General, the State School Commissioner, one member of Senate, to be appointed by the President of the Senate, and one member from the House, to be appointed by the Speaker, shall meet prior to the convening of the General Assembly at which the General Appropriation Act is to

be passed, and go into the legality of all appropriations usually carried in said Act; investigate the needs of the different departments to which appropriations are made, and make a report with recommendations for appropriations for ensuing year."

Mr. Carswell moves to amend section 3 by adding the following: To pay for indexing the Journal of the House of Representatives and of the Senate, each, seventy-five (\$75.00) dollars, to be paid to the Journal Clerk of the House and the Journal Clerk of the Senate, respectively, upon completion of the work.

By Mr. Carswell—

Amend caption in line 4 between the words "1919" and the word "and" the following "and for deficiencies for the year 1917 "

Messrs. Redwine and Heath move to amend House Bill No. 161 by striking in line 4 of Section 1 the words "for the fiscal year 1918" and substitute in lieu thereof the words "for each of the fiscal years 1918 and 1919;" amend Section 2 by striking in line 3 the words "for the fiscal year 1918" and substituting in lieu thereof the words "for each of the fiscal years 1918 and 1919;" amend Section 3 by striking in line 3 the words "for the fiscal year 1918" and substituting in lieu thereof the words "for each of the fiscal years 1918 and 1919," and further amending Section 3 by striking "1918" in said section wherever it occurs and substituting "1918 and 1919;" amend Section 4 by striking in line 3 the words "for the fiscal year 1918" and substituting

in lieu thereof "for each of the fiscal years of 1918 and 1919;" amend Section 5 by adding after the word "State," in line 2, the words "for each of the fiscal years of 1918 and 1919;" amend Section 6 by adding after the word "State" in line 2 the words "for each of the fiscal years 1918 and 1919," and further amend by striking "1918" in said Section wherever it occurs, and substituting in lieu thereof "1918 and 1919;" amend Section 7 by striking in line 3 the words "for the fiscal year 1918" and substituting in lieu thereof the words "for each of the fiscal years of 1918 and 1919;" and further amending Section 7 by striking "1918" wherever it occurs and substituting in lieu thereof "1918 and 1919;" amend Section 8 by striking the words "for the fiscal year 1918" and substituting in lieu thereof the words "for each of the fiscal years 1918 and 1919."

Amend the caption by striking the words "for the fiscal year 1918" and substituting in lieu thereof "for each of the fiscal years of 1918 and 1919."

Amend the caption by striking the words "for the fiscal year 1918" and substituting in lieu thereof "for each of the fiscal years of 1918 and 1919."

The report of the committee, which was favorable to the passage of the bill, as amended, was agreed to, as amended.

The bill was read the third time and upon its passage the ayes and nays were as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Elackwell, F. M.	Davison, James.
Beauchamp, J. C.	Carswell, Geo. H.	Denny, R. A.

Dickerson, R. G.	Hullender, W. C.	Odom, J. C.
Dukes, J. P.	Humber, R. T., Jr.	Peacock, D. Roscoe
Dykes, J. R.	Kirby, J. T.	Redwine, C. D.
Edwards, Chas. H.	Leonard, R.	Skelton, J. H.
Ficklen, Boyce	Loftin, Frank S.	Stevens, C. O.
Field, Alonzo	Logan, J. B. G.	Weaver, W. F.
Gilmore, George	Merry, H. H.	Wohiwender, Ed
Heath, E. V	Mills, Joe Brown	Yeoman, Sol. J.
Hendricks, W. H.		

Those voting in the negative were Messrs.—

Brown, F. A.	Hopkins, H. W.	Riner, M. F.
Bynum, T. L.	Moore, J. B.	Townsend, S. C.
Council, M. B.		

Those not voting were Messrs.—

Beck, E. H.	Elders, H. H.	Price, H. H.
DeJarnette, H. R.		

Ayes 31; nays 7

The bill having received the requisite constitutional majority was passed, as amended.

The bill was ordered immediately transmitted to the House.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has read and agreed to Senate amendment to the following bill of the House, to-wit:

A bill to amend an Act creating the Drainage Law.

A bill to amend an Act establishing Board of Roads and Revenues for the County of Henry.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills and resolution of the House, to-wit:

A bill to amend the Constitution of the State, so as to provide for representation for the County of Evans.

A bill to amend Act incorporating the City of Broxton.

A resolution to allow committee to examine vouchers of Comptroller and Treasurer in vacation.

The following message was received from the House through Mr. Moore, the Clerk thereof

Mr. President:

The House has passed by the requisite constitutional majority the following bills of the Senate, to-wit:

A bill to amend the Code of 1910, relative to trustees and their election.

A bill to amend Act incorporating the City of Cartersville.

A bill to amend the Constitution of the State so as to create the County of Atkinson.

The following House bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Wright of Floyd—

A bill to declare houses of lewdness, prostitution and assignation a nuisance, and for other purposes.

The following amendments were read and adopted, to-wit:

By Mr. Wohlwender—

Amend Section 4 of House Bill No. 63 by striking all the words in said section after the word “contempt” in the 12th line of said section and inserting in lieu thereof the words: “shall be punished as for contempt in the discretion of the judge.”

Amend Section 5 of House Bill No. 63 by adding after the word “execution” in line 8 of said section the words: “ provided it shall appear to the judge that the furniture and chattels are owned by others than the inmates of said house.”

The report of the committee, which was favorable to the passage of the bill, was agreed to, as amended.

Upon the passage of the bill the ayes were 24 and nays 2.

The bill having received the requisite constitutional majority was passed, as amended.

The following House bills and resolution were read the third time to be put upon their passage, to-wit:

By Messrs. Hall and Fowler of Bibb—

A bill to amend the act creating the Municipal Court of Macon.

The report of the committee, which was favorable to the passage of the bill, as amended, was agreed to.

On the passage of the bill the ayes were 30, nays 0.

The bill, having received the requisite constitutional majority, was passed, as amended, and the amendment is as follows:

The committee amends by striking the word "stenographer" in line 32, Section 3 of the bill, and insert the word "secretary."

By Messrs. Hodges and Swint of Washington—

A resolution for the relief of W Sam Askew.

The report of the committee, which was favorable to the passage of the resolution, was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Beauchamp, J. C.	Ficklen, Boyce	Mills, Joe Brown
Flackwell, F. M.	Field, Alonzo	Moore, J. B.
Brown, T. A.	Gilmore, George	Odom, J. C.
Bynum, T. L.	Heath, E. V	Peacock, D. Roscoe
Carswell, Geo. H.	Hendricks, W. H.	I rice, H. H.
Council, M. B.	Hopkins, H. W	Redwine, C. D.
Davison, James.	Hullender, W C.	Riner, M. T.
Denny, R. A.	Humber, R. T., Jr.	Skelton, J. H.
Dickerson, R. G.	Kirby, J. T.	Stevens, C. O.
Dukes, J. P	Leonard, R.	Townsend, S. C.
Dykes, J. R.	Loftin, Frank S.	Weaver, W F.
Edwards, Chas. H.	Logan, J. B. G.	Wohlwender, Ed
Elders, H. H.	Merry, H. H.	Yeoman, Sol. J.

Those not voting were Messrs.—

Andrews, W. P.	Beck, E. H.	DeJarnette, H. R.
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Ayes 39, nays 0.

The resolution, having received the requisite constitutional majority, was passed.

By Messrs. Jones of Lowndes, McCall of Brooks—

A bill to abolish the fee system in the Southern Judicial Circuit, and to place the Solicitor-General upon a salary.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 25, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Akin of Glynn, and others—

A bill to abolish the fee system in the Brunswick Judicial Circuit, and to place the Solicitor-General upon a salary.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 25, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Pace of Sumter—

A bill to abolish the fee system in the Southwestern Circuit and to place the Solicitor-General upon a salary.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Messrs. Neill, Swift and Hatcher of Muscogee—

A bill to abolish the fee system in the superior courts of Chattahoochee Circuit.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Messrs. Hodges and Swint of Washington—

A bill to amend an Act approved August 18, 1916, providing in what manner the funds of Washington county are to be handled.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 25, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Middleton of Early and Mr. Pickett of Terrell—

A bill to abolish the fee system in the superior courts of the Pataula Circuit.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 29, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Carter of Bacon—

A bill to abolish the fee system in the superior courts of the Waycross Judicial Circuit.

The following amendment was read and adopted, to-wit:

By Mr. Moore—

Amend by striking the words, wherever they oc-

cur, "twenty-five hundred," and substituting in lieu thereof the words "three thousand."

The report of the committee, which was favorable to the passage of the bill, was agreed to, as amended.

On the passage of the bill the ayes were 29, nays 0.

The bill, having received the requisite constitutional majority, was passed, as amended.

The following House resolution was read and adopted, to-wit:

By Mr. Akin of Glynn—

A resolution providing for a committee, consisting of the Chairman of the Finance Committee of the Senate and the Chairman of the Ways and Means Committee of the House bill by themselves, or by such committee as they shall name, to examine the accounts and vouchers of the Comptroller and Treasurer as set forth in Section 346 of the Code of 1910.

The following House resolution was read and adopted, to-wit

By Messrs. Atkinson of Fulton, Clark of McIntosh and others—

A resolution authorizing the appointment of a joint committee of the House and Senate to investigate and report upon the propriety of utilizing certain portions of the public domain to the propagation of oysters.

The Conference Committee upon Senate Bill No. 1 (a bill to amend an Act creating the Department of

Commerce and Labor) submitted the following report, which was adopted, to-wit:

Mr. President:

Your Committee on Conference having had under consideration Senate Bill No. 1 has met with the Conference Committee of the House and after having discussion of the House Amendment No. 1 to said bill, wherein the House has amended said bill by striking therefrom the following words: "Provided, that nothing in this paragraph shall authorize the Commissioner to take any action whatever in case of strikes and lockouts."

We beg leave to report that we have reached an agreement as follows:

"Strike the above quoted proviso contained in the House Amendment and substitute in lieu thereof the following words:

"Provided, said Commissioner may inquire into the cause of strikes and lockouts and other disagreements between employers and employees; and whenever practicable offer his good offices to the contending parties with a view of bringing about friendly and satisfactory adjustments thereof."

We, therefore, recommend the adoption of this Conference Report with the above amendment to the bill.

Respectfully submitted,

WALTER P. ANDREWS,

J. B. G. LOGAN,

H. H. ELDERS,

Committee on part of the Senate.

At 12:55 o'clock P. M. the Senate went into executive session.

Upon the dissolution of the executive session the Senate, upon motion of Mr. Heath, took a recess until 3 o'clock P. M.

SENATE CHAMBER, 3 O'CLOCK P. M.

The Senate met pursuant to adjournment and was called to order by the President.

By unanimous consent the call of the roll was dispensed with.

The following Senate bill was taken up for the purpose of acting on the House substitute, to-wit:

By Messrs. Olive, Price and others—

A bill to amend Paragraph 2, Section 2, Article 7, of the Constitution of Georgia, so as to permit the exemption from taxation by the General Assembly of the endowment of colleges and incorporated academies when the same is not invested in real estate, and for other purposes.

Upon the question of the concurrence by the Senate, in the House substitute, the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Denny, R. A.	Gilmore, George.
Beauchamp, J. C.	Lukes, J. P.	Heath, E. V.
Blackwell, F. M.	Dykes, J. R.	Hendricks, W. H.
Brown, T. A.	Edwards, Chas. H.	Hopkins, H. W.
Carswell, Geo. H.	Ficklen, Boyce.	Hullender, W. C.
Council, M. B.	Field, Alonzo.	Humber, R. T., Jr.

Leonard, R.	Mills, Joe Brown.	Redwine, C. D.
Leftin, Frank S.	Peacock, D. Roscoe.	River, M. T.
Merry, H. H.		

Those voting in the negative were Messrs.—

Eynum, T. L.	Kirby, J. T.	Townsend, S. C.
Davison, James.	Moore, J. B.	Weaver, W. F.
Elders, H. H.	Skelton, J. H.	Wohlwender, Ed.
Beck, E. H.		

Those not voting were Messrs.—

DeJarnette, H. R.	Gdom, J. C.	Stevens, C. O.
Pickerson, R. G.	Price, H. H.	Yeoman, Sol. J.
Logan, J. B. G.		

Ayes 25, nays 10.

The substitute was concurred in, and the substitute is as follows:

A BILL

To be entitled an Act to amend Paragraph two (2), Section two (2), Article seven (7), of the Constitution of the State of Georgia, so as to permit the exemption from taxation by the General Assembly of the endowment of colleges and incorporated academies and other seminaries of learning, when the same is not invested in real estate, and when such colleges, incorporated academies or other seminaries of learning are open to the general public, provided, further, that all endowments to institutions established for white people shall be limited to white people, and all endowments to institutions established for colored people shall be limited to colored people.

SECTION 1. Be it enacted by the General Assem-

bly of the State of Georgia, and it is hereby enacted by said authority, That Paragraph two (2), Section two (2), Article seven (7), of the Constitution of the State of Georgia, be and the same is hereby amended by inserting in the fifth (5) line thereof, as the same is set forth in Section 6554 of the Code of the State of Georgia, after the words, "Seminary of learning," the words: "and also all funds or property held or used as endowment by such colleges, incorporated academies or seminaries of learning, provided the same is not invested in real estate, and provided, further, that said exemption shall only apply to such colleges, incorporated academies or other seminaries of learning as are open to the general public; provided, further, that all endowments to institutions established for white people shall be limited to white people, and all endowments to institutions established for colored people shall be limited to colored people," so that said Paragraph two (2), Section two (2), Article seven (7), of the Constitution, when amended, shall read as follows:

"The General Assembly may, by law, exempt from taxation all public property; places of religious worship or burial; all institutions of purely public charity; all buildings erected for and used as a college; incorporated academy, or other seminary of learning and also all funds or property held or used as endowment by such colleges, incorporated academies or seminaries of learning, provided the same is not invested in real estate; and provided, further, that said exemption shall only apply to such colleges, incorporated academies or other semi-

naries of learning as are open to the general public; provided, further, that all endowments to institutions established for white people shall be limited to white people, and all endowments to institutions established for colored people shall be limited to colored people; the real and personal estate of any public library, and that of any other literary association, used by or connected with such library; all books and philosophical apparatus; and all paintings and statuary of any company or association, kept in a public hall, and not held as merchandise or for purposes of sale or gain; provided, the property so exempted be not used for purposes of private or corporate profit or income.”

SEC. 2. Be it further enacted by the authority aforesaid, That when said amendment shall be agreed to by a two-thirds vote of the members elected to each House it shall be entered upon the Journal of each House with the yeas and nays thereon and published in one or more newspapers in each Congressional District in said State for two months previous to the time for holding the next general election and shall, at the next general election, be submitted to the people for ratification. All persons voting at said election in favor of adopting the said proposed amendment to the Constitution shall have written or printed on their ballots the words: “For ratification of amendment to Paragraph two (2), Section two (2), Article seven (7), of the Constitution, authorizing the exemption from taxation of endowments of institutions of learning when not invested in real estate and when such in-

stitutions are open to the general public, provided, further, that all endowments to institutions established for white people shall be limited to white people, and all endowments to institutions established for colored people shall be limited to colored people;" and all persons opposed to the adoption of said amendment shall have written or printed on their ballots the words: "Against ratification of amendment to Paragraph two (2), Section two (2), Article seven (7), of the Constitution, authorizing the exemption from taxation of endowments of institutions of learning when not invested in real estate and when such institutions are open to the general public, provided, further, that all endowments to institutions established for white people shall be limited to white people, and all endowments to institutions established for colored people shall be limited to colored people;" and if the majority of the electors qualified to vote for the members of the General Assembly voting thereon shall vote for ratification thereof when the returns shall be consolidated as now required by law in elections for members of the General Assembly, and return thereof made to the Governor, then he shall declare said amendment adopted and make proclamation of the result by publication of the results of said election by one insertion in one of the daily papers of this State, declaring the amendment ratified.

SEC. 3. Be it further enacted, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

The following House resolutions were taken up for a third reading to be put upon their passage. to-wit:

By Mr. Key of Jasper—

A resolution to pay O. G. Roberts his pension for years 1915 and 1916.

The following amendment by the committee was read and adopted, to-wit

Strike the figures “1915 and 1916” wherever the same occur and insert in lieu thereof the figures “1916 and 1917 ”

The report of the committee, which was favorable to the passage of the resolution, as amended, was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Field, Alonzo.	Leonard, R.
Beauchamp, J. C.	Gilmore, George.	Leftin, Frank S.
Brown, T. A.	Heath, E. V.	Mills, Joe Brown.
Carswell, Geo. H.	Hendricks, W. H.	Moore, J. B.
Lukes, J. P.	Hopkins, H. W.	Peacock, D. Roscoe
Edwards, Chas. H.	Hullender, W. C.	Riner, M. T.
Elders, H. H.	Humber, R. T., Jr.	Skelton, J. H.
Ficklen, Boyce.	Kirby, J. T.	Townsend, S. C.

Those not voting were Messrs.—

Beck, E. H.	Davison, James.	Dykes, J. R.
Blackwell, F. M.	DeJarnette, H. R.	Logan, J. B. G.
Bynum, T. L.	Denny, R. A.	Merry, H. H.
Council, M. B.	Dickerson, R. G.	Odum, J. C.

Price, H. H.	Stevens, C. O.	Wohlwender, Ed.
Redwine, C. D.	Weaver, W. F.	Yeoman, Sol. J.

Ayes 24, nays 0.

The resolution, having received the requisite constitutional majority, was passed, as amended.

By Mr. Beck of Carroll—

A resolution to pay pension for 1917 to Ellen C. Smith, widow of Henry J. Smith, deceased.

The report of the committee, which was favorable to the passage of the resolution, was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Ficklen, Boyce.	Loftin, Frank S.
Beauchamp, J. C.	Gilmore, George.	Merry, H. H.
Blackwell, F. M.	Heath, E. V.	Peacock, D. Roscoe.
Brown, T. A.	Hendricks, W. H.	Redwine, C. D.
Bynum, T. L.	Hopkins, H. W.	Riner, M. T.
Council, M. B.	Hullender, W. C.	Skelton, J. H.
Denny, R. A.	Humber, R. T., Jr.	Townsend, S. C.
Edwards, Chas. H.	Kirby, J. T.	Weaver, W. F.
Elders, H. H.	Leonard, R.	Wohlwender, Ed.

Those voting in the negative were Messrs.—

Carswell, Geo. H.	Mills, Joe Brown
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Those not voting were Messrs.—

Beck, E. H.	Dykes, J. R.	Odom, J. C.
Davison, James.	Field, Alonzo.	Price, H. H.
DeJarnette, H. R.	Logan, J. B. G.	Stevens, C. O.
Dickerson, R. G.	Moore, J. B.	Yeoman, Sol. J.
Dukes, J. P.		

Ayes 27, nays 2.

The resolution, having received the requisite constitutional majority, was passed.

By Mr. Barrett of Whitfield—

A resolution to pay Mary F Dantzler her pension for the year 1917.

The committee amends by striking the name “J. N. Dantzler” and inserting the name “L. N Dantzler” wherever the same occurs.

The amendment was adopted.

The report of the committee, which was favorable to the passage of the resolution, as amended, was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Ficklen, Boyce.	Loftin, Frank S.
Beauchamp, J. C.	Field, Alonzo.	Merry, H. H.
Beck, E. H.	Gilmore, George.	Mills, Joe Brown.
Brown, T. A.	Heath, E. V	Redwine, C. D.
Council, M. B.	Hendricks, W. H.	Riner, M. T.
Davison, James.	Hopkins, H. W.	Skelton, J. H.
Denny, R. A.	Hullender, W. C.	Stevens, C. O.
Dickerson, R. G.	Humber, R. T., Jr.	Weaver, W. F.
Dykes, J. R.	Kirby, J. T.	Wohlwender, Ed.
Edwards, Chas. H.	Leonard, R.	Yeoman, Sol. J.
Elders, H. H.		

Those voting in the negative were Messrs.—

Carswell, Geo. H.

Those not voting were Messrs.—

Llackwell, F. M.	Logan, J. B. G.	Peacock, D. Roscoe.
Bynum, T. L.	Moore, J. B.	Price, H. H.
DeJarnette, H. R.	Odom, J. C.	Townsend, S. C.
Dukes, J. P.		

Ayes 31, nays 1.

The resolution, having received the requisite constitutional majority, was passed, as amended.

By Mr. Clifton of Lee—

A resolution to pay the pension of Mrs. L. M. Tyson for year 1915.

The report of the committee, which was favorable to the passage of the resolution, was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Ficklen, Boyce.	Merry, H. H.
Beauchamp, J. C.	Field, Alonzo.	Mills, Joe Brown.
Brown, T. A.	Gilmore, George.	Redwine, C. D.
Bynum, T. L.	Heath, E. V.	Riner, M. T.
Council, M. B.	Hullender, W. C.	Skelton, J. H.
Davison, James.	Humber, R. T., Jr.	Stevens, C. O.
Dickerson, R. G.	Kirby, J. T.	Townsend, S. C.
Edwards, Chas. H.	Leonard, R.	Weaver, W. F.
Elgers, H. H.	Loftin, Frank S.	Wohlwender, Ed.

Those voting in the negative were Messrs.—

Carswell, Geo. H. Denny, R. A.

Those not voting were Messrs.—

Beck, E. H.	Hendricks, W. H.	Gdom, J. C.
Blackwell, F. M.	Hopkins, H. W.	Peacock, D. Roscoe.
DeJarnette, H. R.	Logan, J. B. G.	Price, H. H.
Dukes, J. P.	Moore, J. B.	Yeoman, Sol. J.
Dykes, J. R.		

Ayes 27, nays 2.

The resolution, having received the requisite constitutional majority, was passed.

By Mr. Ellis of Tift—

A resolution for the relief of J. H. Young.

The report of the committee, which was favorable to the passage of the resolution, was agreed to.

On the passage of the resolution the ayes were 30, nays 0.

The resolution, having received the requisite constitutional majority, was passed.

By Messrs. Morris and Cheney of Cobb—

A resolution for the relief of Sarah A. Wilson of Cobb County, widow of a Confederate soldier.

The report of the committee, which was favorable to the passage of the resolution, was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Field, Alonzo.	Logan, J. B. G.
Beck, E. H.	Gilmore, George.	Merry, H. H.
Blackwell, F. M.	Heath, E. V.	Mills, Joe Brown.
Brown, T. A.	Hullender, W. C.	Redwine, C. D.
Eynum, T. L.	Humber, R. T., Jr.	Riner, M. T.
Council, M. B.	Kirby, J. T.	Townsend, S. C.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Edwards, Chas. H.	Loftin, Frank S.	Wohlwender, Ed.
Ficklen, Boyce.		

Those voting in the negative were Messrs.—

Carswell, Geo. H.

Those not voting were Messrs.—

Beauchamp, J. C.	Elders, H. H.	Peacock, D. Roscoe.
Davison, James.	Hendricks, W. H.	Price, H. H.
DeJarnette, H. R.	Hopkins, H. W.	Skelton, J. H.
Dickerson, R. G.	Moore, J. B.	Stevens, C. O.
Dukes, J. P.	Odum, J. C.	Yeoman, Sol. J.
Dykes, J. R.		

Ayes 25, nays 1.

The resolution, having received the requisite constitutional majority, was passed.

By Mr. Reiser of Effingham—

A resolution to pay pension to Georgia A. Dasher, widow of James Dasher, for the year 1915.

The report of the committee, which was favorable to the passage of the resolution, was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Elders, H. H.	Loftin, Frank S.
Beauchamp, J. C.	Ficklen, Boyce.	Logan, J. B. G.
Beck, E. H.	Field, Alonzo.	Merry, H. H.
Blackwell, F. M.	Gilmore, George.	Mills, Joe Brown.
Brown, T. A.	Heath, E. V.	Redwine, C. D.
Council, M. B.	Hopkins, H. W.	Riner, M. T.
Davison, James.	Hullender, W. C.	Skelton, J. H.
Denny, R. A.	Humber, R. T., Jr.	Townsend, S. C.
Dykes, J. R.	Kirby, J. T.	Weaver, W. F.
Edwards, Chas. H.	Leonard, R.	Wohlwender, Ed.

Those voting in the negative were Messrs.—

Carswell, Geo. H.

Those not voting were Messrs.—

Bynum, T. L.	Hendricks, W. H.	Price, H. H.
DeJarnette, H. R.	Moore, J. B.	Stevens, C. O.
Dickerson, R. G.	Odom, J. C.	Yeoman, Sol. J.
Dukes, J. P.	Peacock, D. Roscoe.	

Ayes 30, nays 1.

The resolution, having received the requisite constitutional majority, was passed.

By Mr. Beazley of Taliaferro—

A resolution to provide for payment of pension to Mrs. S. E. Moore.

The report of the committee, which was favorable to the passage of the resolution, was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Ficklen, Boyce.	Loftin, Frank S.
Beauchamp, J. C.	Field, Alonzo.	Logan, J. B. G.
Beck, E. H.	Gilmore, George.	Merry, H. H.
Brown, T. A.	Heath, E. V.	Mills, Joe Brown.
Council, M. B.	Hendricks, W. H.	Redwine, C. D.
Davison, James.	Hopkins, H. W.	Riuer, M. T.
Denny, R. A.	Hullender, W. C.	Skelton, J. H.
Dykes, J. R.	Fumber, R. T., Jr.	Townsend, S. C.
Edwards, Chas. H.	Kirby, J. T.	Weaver, W. F.
Elders, H. H.	Leonard, R.	Wohlwender, Ed.

Those not voting were Messrs.—

Blackwell, F. M.	Dickerson, R. G.	Peacock, D. Roscoe.
Bynum, T. L.	Dukes, J. P.	Price, H. H.
Carswell, Geo. H.	Moore, J. B.	Stevens, C. O.
DeJarnette, H. R.	Odom, J. C.	Yeoman, Sol. J.

Ayes 30, nays 0.

The resolution, having received the requisite constitutional majority, was passed.

By Mr. McCalla of Rockdale—

A resolution to provide for payment of the per diem and expense of travel due the late Senator W. J. Eakes to his widow, Dora B. Eakes.

The report of the committee, which was favorable to the passage of the resolution, was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Ficklen, Boyce.	Merry, H. H.
Beauchamp, J. C.	Field, Alonzo.	Mills, Joe Brown.
Beck, E. H.	Gilmore, George.	Moore, J. B.
Blackwell, F. M.	Heath, E. V.	Odom, J. C.
Brown, T. A.	Hopkins, H. W.	Peacock, D. Roscoe.
Carswell, Geo. H.	Hullender, W. C.	Redwine, C. D.
Council, M. B.	Humber, R. T., Jr.	Skelton, J. H.
Davison, James.	Kirby, J. T.	Stevens, C. O.
Denny, R. A.	Leonard, R.	Weaver, W. F.
Dykes, J. R.	Loflin, Frank S.	Wohlwender, Ed.
Edwards, Chas. H.	Logan, J. B. G.	Yeoman, Sol. J.

Those not voting were Messrs.—

Eynum, T. L.	Dukes, J. P.	Price, H. H.
DeJarnette, H. R.	Eiders, H. H.	Riner, M. T.
Dickerson, R. G.	Hendricks, W. H.	Townsend, S. C.

Ayes 33, nays 0.

The resolution, having received the requisite constitutional majority, was passed.

The following House bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Smith of Fulton—

A bill to amend Section 2817 of the Code of 1910, relative to the powers and functions of trust companies.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

The following message was received from the House through Mr. Moore, the Clerk thereof.

Mr. President:

The House has agreed to the report of the Con-

ference Committee upon the following bill of the Senate, to-wit:

A bill to amend an Act to create the Department of Commerce and Labor.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has read and agreed to Senate amendments to the following bills and resolution of the House, to-wit:

A bill to declare houses of lewdness, assignation and prostitution a nuisance.

A bill to amend the Municipal Court of Macon.

A bill to abolish fees of the superior courts of the Waycross Judicial Circuit.

A resolution to pay pension to O. G. Roberts.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House disagrees to Senate amendment to the following bill of the House, to-wit:

A bill to abolish fee system in the superior courts of Flint Judicial Circuit.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bill of the Senate, to-wit:

A bill to amend the Constitution of the State, so as to create the County of Treutlen.

The following House bills and resolution were taken up for a third reading to be put upon their passage, to-wit:

By Mr. Pace of Sumter—

A bill to appropriate \$5,000.00 to the 3rd District Agricultural School, located at Americus, Ga.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Edwards, Chas. H.	Loftin, Frank S.
Beauchamp, J. C.	Elders, H. H.	Logan, J. B. G.
Beck, E. H.	Ficklen, Boyce.	Merry, H. H.
Blackwell, F. M.	Field, Alonzo.	Mills, Joe Brown.
Brown, T. A.	Gilmore, George.	Odom, J. C.
Bryum, T. L.	Heath, E. V.	Redwine, C. D.
Carswell, Geo. H.	Hendricks, W. H.	Skelton, J. H.
Council, M. B.	Hullender, W. C.	Stevens, C. O.
Davison, James.	Humber, R. T., Jr.	Townsend, S. C.
Denny, R. A.	Kirby, J. T.	Weaver, W. F.
Dukes, J. P.	Leonard, R.	Wohlwender, Ed.
Dykes, J. R.		

Those not voting were Messrs.—

DeJarnette, H. R.	Moore, J. B.	Riner, M. T.
Dickerson, R. G.	Peacock, D. Roscoe.	Yeoman, Sol. J.
Hopkins, H. W.	Price, H. H.	

Ayes 34, nays 0.

The bill, having received the requisite constitutional majority, was passed, to-wit:

By Messrs. Swift of Muscogee and Turner of Brooks—

A bill to appropriate the sum of \$5,000.00 to the

Western and Atlantic Railroad Commission, for the completion of its work, under the lease Act of 1915.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows, to-wit:

The voting in the affirmative were Messrs.—

Andrews, W. P.	Elders, H. H.	Logan, J. B. G.
Beauchamp, J. C.	Ficklen, Boyce.	Merry, H. H.
Blackwell, F. M.	Field, Alonzo.	Mills, Joe Brown.
Brown, T. A.	Gilmore, George.	Odom, J. C.
Bynum, T. L.	Hendricks, W. H.	Riner, M. T.
Carswell, Geo. H.	Hopkins, H. W.	Skelton, J. H.
Council, M. B.	Hullender, W. C.	Stevens, C. O.
Davison, James.	Humber, R. T., Jr.	Townsend, S. C.
Denny, R. A.	Kirby, J. T.	Weaver, W. F.
Dickerson, R. G.	Leonard, R.	Wohlwender, Ed.
Edwards, Chas. H.	Loftin, Frank S.	

Those not voting were Messrs.—

Beck, E. H.	Heath, E. V	Price, H. H.
DeJarnette, H. R.	Moore, J. B.	Redwine, C. D.
Dukes, J. P.	Peacock, D. Roscoe.	Yeoman, Sol. J.
Dykes, J. R.		

Ayes 32, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Jones of Elbert—

A bill to authorize the creation of a Home Guard, to regulate the same, and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 25, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Burt of Dougherty—

A bill to establish and organize an Agricultural and Normal College for the training of colored teachers, and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W P	Elders, H. H.	Loftin, Frank S.
Beauchamp, J. C.	Ficklen, Boyce.	Logan, J. B. G.
Blackwell, F. M.	Field, Alonzo.	Merry, H. H.
Bynum, T. L.	Gilmore, George.	Mills, Joe Brown.
Carswell, Geo. H.	Heath, E. V.	Odom, J. C.
Council, M. B.	Hendricks, W H.	Peacock, D. Roscoe.
Denny, R. A.	Hopkins, H. W.	Riner, M. T
Dickerson, R. G.	Hullender, W. C.	Skelton, J. H.
Dukes, J. P.	Humber, R. T., Jr.	Townsend, S. C.
Dykes, J. R.	Kirby, J. T.	Weaver, W. F.
Edwards, Chas. H.	Leonard, R.	Wohlwender, Ed.

Those voting in the negative were Messrs.—

Frown, T. A.

Those not voting were Messrs.—

Beck, E. H.	Moore, J. B.	Stevens, C. O.
Davison, James.	Price, H. H.	Yeoman, Sol. J.
DeJarnette, H. R.	Redwine, C. D.	

Ayes 33, nays 1.

The bill having received the requisite constitutional majority was passed.

By Mr. Hall of Bibb—

A bill to authorize the county treasurers of the counties of this State to deposit funds in any bank,

which has been designated by law, as a depository of the State funds.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 25, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Messrs. Davis of Laurens and Staten of Lowndes—

A bill to prevent the shipment of tick infested cattle into and within the State of Georgia.

The report of the committee, which was favorable to the passage of the bill, as amended, was agreed to.

On the passage of the bill the ayes were 27, nays 0.

The bill, having received the requisite constitutional majority, was passed, as amended, and the amendment is as follows, to-wit:

The committee proposes to amend by adding after the last line of Section one thereof, the following:

“Provided, that any and all persons who may have or own cattle within an infested district in which the work of tick eradication is not in progress shall have the right to transport such cattle to a market within such infested district, but not within nor through any non-infested district.”

By Messrs. Jones and Adams of Elbert—

A resolution to declare and establish the boundary between Georgia and South Carolina in the United States Supreme Court.

The report of the committee, which was favorable to the passage of the resolution, was agreed to.

On the passage of the resolution the ayes were 23, nays 0.

The resolution, having received the requisite constitutional majority, was passed.

By Messrs. DuBose and Brown of Clarke, and others—

A bill to accept the provisions of an Act of Congress of the United States, to provide for the promotion of vocational education.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes and nays were as follows, to-wit:

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Elders, H. H.	Merry, H. H.
Beauchamp, J. C.	Field, Alonzo.	Moore, J. B.
Beck, E. H.	Gilmore, George.	Odom, J. C.
Blackwell, F. M.	Heath, E. V	Peacock, D. Roscoe.
Bynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Council, M. B.	Humber, R. T., Jr.	Skelton, J. H.
Davison, James.	Kirby, J. T.	Stevens, C. O.
Denny, R. A.	Leonard, R.	Townsend, S. C.
Dukes, J. P	Leftin, Frank S.	Weaver, W. F.
Dykes, J. R.	Logan, J. B. G.	Wohlwender, Ed.
Edwards, Chas. H.		

Those voting in the negative were Messrs.—

Brown, T. A. Ficklen, Boyce.

Those not voting were Messrs.—

DeJarnette, H. R.	Hullender, W. C.	Riner, M. T.
Dickerson, R. G.	Mills, Joe Brown.	Yeoman, Sol. J.

Ayes 34, nays 2.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Burwell of Hancock—

A bill to amend Section 2632 of the Code as to publication of schedule of freight rates.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 27, nays 0.

The bill, having received the requisite constitutional majority, was passed.

The following House bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. McCall of Brooks—

A bill to amend the Constitution of this State, relative to paying pensions to Confederate veterans and their widows.

The report of the committee, which was favorable to the passage of the bill, as amended, was agreed to.

Upon the passage of the bill, as amended, the ayes and nays were as follows

Those voting in the affirmative were Messrs.—

Andrews, W. P.	Elders, H. H.	Loftin, Frank S.
Beauchamp, J. C.	Ficklen, Boyce.	Logan, J. B. G.
Beck, E. H.	Giimore, George.	Merry, H. H.
Blackwell, F. M.	Heath, E. V.	Peacock, D. Roscoe.
Bynum, T. L.	Hendricks, W. H.	Price, H. H.
Carswell, Geo. H.	Hopkins, H. W.	Redwine, C. D.
Davison, James.	Hullender, W. C.	Riner, M. T.
Dukes, J. P.	Humber, R. T., Jr.	Skelton, J. H.
Dykes, J. R.	Kirby, J. T.	Stevens, C. O.
Edwards, Chas. H.	Leonard, R.	Weaver, W. F.

Those voting in the negative were Messrs.—

Brown, T. A.
Council, M. B.

Denny, R. A.
Dickerson, R. G.

Edom, J. C.

Those not voting were Messrs.—

DeJarnette, H. R.
Field, Alonzo.
Mills, Joe Brown.

Moore, J. B.
Townsend, S. C.

Wohlwender, Ed.
Yeoman, Sol. J.

Ayes 30, nays 5.

The bill, having received the requisite constitutional majority, was passed, as amended, and the bill and amendments are as follows, to-wit:

A BILL

To be entitled an Act to amend Paragraph 1, Section 1, Article 7, of the Constitution of this State, so as to strike from said Paragraph the first proviso, “that provides that the pension shall not be paid to any soldier or widow worth over fifteen hundred dollars.” Also the 2nd proviso, “That only those widows who were married to said soldiers or ex-soldiers previous to the year 1870 shall be entitled to the provisions of this constitutional amendment,” and for other purposes.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by the authority of the same, That Paragraph 1, Section 1, Article 7, of the Constitution of the State of Georgia be, and is hereby amended by striking from said Paragraph and Section the first proviso, “that no person shall be entitled to the provisions of this constitutional amendment, the total value of whose property of any description shall ex-

ceed fifteen hundred dollars.” Also strike the 2nd proviso, “That only those widows who were married to said soldiers or ex-soldiers previous to the year 1870 shall be entitled to the provisions of this constitutional amendment,” so that said section as amended by this Act will read as follows: “The powers of taxation over the whole State shall be exercised by the General Assembly for the following purposes, to make provisions for the payment of pensions to any ex-Confederate soldier now residing in this State who enlisted in the military service of the Confederate States during the Civil War between the States of the United States and who performed actual military service in the arms of the Confederate States, or of the organized militia of this State, and was honorably discharged therefrom. Provided, that no soldier shall receive a pension under the provisions of this Act whose property at the passage of this Act is assessed at more than five thousand dollars for taxation, and to the widows now resident of this State of ex-Confederate soldiers who enlisted in the military service of the Confederate States, and who performed actual military service in the armies of the Confederate States, or of the organized militia of this State, who died in said military service or was honorably discharged therefrom, who were married prior to January 1st, 1881. No widow of a soldier killed during the war shall be deprived of her pension by reason of having subsequently married another veteran, who is dead, unless she is receiving a pension account of being the widow of such first husband.”

SEC. 2. Be it enacted by the authority aforesaid, That, if this Constitutional amendment shall be agreed to by a two-thirds vote of the members of the General Assembly of each House, the same shall be entered on each Journal with the ayes and nays taken thereon and the Governor shall cause the amendment to be published in one or more of the newspapers in each Congressional District for two months immediately preceding the next general election and the voters thereat shall have written or printed on their tickets: "For ratification of the amendment, Paragraph 1, Section 1, Article 7 of the Constitutional Amendment (which strikes out the fifteen hundred dollars proviso to be allowed a pension). Against ratification of the amendment, Paragraph 1, Section 1, Article 7 of the Constitution (which strikes out the fifteen hundred dollar proviso to be allowed a pension)," as they may choose, and if a majority of the electors qualified to vote for members of the next General Assembly voting shall vote in favor of ratification, then said amendment shall become a part of Paragraph 1, Section 1, Article 7 of the Constitution of this State and the Governor shall make proclamation thereof.

AMENDMENTS ADOPTED BY THE SENATE.

Committee moves to amend Section 1 of House Bill No. 9, by striking the words "five thousand" and inserting in lieu thereof the words "three thousand."

The committee proposes to amend House Bill No. 9 by striking from Section 1, line 25, the words

“arms” and inserting in lieu thereof the word “armies.”

Committee moves to amend Section 2 of House Bill No. 9 by striking the words “1881” wherever same appears and by inserting in lieu thereof the words “1870.”

Committee moves to amend House Bill No. 9 by striking from caption thereof the following:

“Also the 2nd proviso, That only those widows who were married to said soldiers or ex-soldiers previous to the provisions of this Constitutional amendment.”

The following House bill was taken up for a third reading to be put upon its passage, to-wit:

By Mr. Stewart of Coffee—

A bill to repeal an Act to establish the City Court of Douglas.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill the ayes were 30 and nays 0.

The bill having received the requisite constitutional majority was passed.

Upon motion of Mr. Redwine the Senate insists on its amendment to the following bill of the House, to-wit:

By Mr. Barrett of Pike—

A bill to abolish the fee system now existing in the Superior Courts of Flint Judicial Circuit.

Upon motion of Mr. Redwine a Conference Committee was requested upon the disagreement between the House and Senate upon the bill and the President appointed as a Committee on Conference on part of the Senate:

Messrs. Redwine, Beauchamp and Field.

The following Senate bill was taken up for the purpose of acting on the amendments of the House, to-wit:

By Messrs. Andrews and Price—

A bill to amend the Act establishing the Georgia School of Technology, by conferring upon the local Board of Trustees the authority to sell certain real estate, and for other purposes.

The House amends by adding at the end of Section 3, after the word “expedient,” the following: “in the opinion of the board of trustees of said institution.”

The House amends Section 3, line 7, by striking the figures “\$3,500” and substitute in lieu thereof the figures “\$2,500.”

The amendments were concurred in.

The following Senate bill was taken up for the purpose of acting on the House substitute, to-wit:

By Mr. Andrews—

A bill to create and establish the Georgia Council of Defense, for the co-operation of this State with the “National Council of Defense,” and for other purposes.

The House substitute is as follows, to-wit:

A BILL

To be entitled an Act to create and establish the Georgia Council of Defense, for the co-operation of this State with the National Council of Defense, created by Act of Congress, approved August 29th, 1916, wherein provision was made as follows, to-wit: "For the formation of a Council of National Defense, the purpose of which is to supervise and direct investigations and make recommendations to the President and the heads of the executive departments as to the location of railroads with reference to the frontier of the United States so as to render possible expeditious concentration of troops and supplies to points of defense; the co-ordination of military, industrial, and commercial purposes in the location of extensive highways and branch lines of railroad, and utilization of waterways; the mobilization of military and naval resources of defense; the increase of domestic production of articles and materials essential to the support of armies and of the people during the interruption of foreign commerce; the development of seagoing transportation; data as to amounts, location, method and means of production, and availability of military supplies; the giving of information to producers and manufacturers as to the class of supplies needed by the military and other services of the government, the requirements relating thereto, and the creation of relations which will render possible in time of need the immediate concentra-

tion and utilization of the resources of the nation;” for the further purpose of aiding and co-operating with said National Council of Defense and with such other councils or bodies as the respective States may establish for National defense; for the performance, under the direction of the Governor, of any and all functions and duties in aid of State administration, and the ascertainment of the resources of the State capable of utilization for military purposes, or for the use and sustenance of our people; for advice and assistance to the Governor in protection of the people of this State against wrongful and unwarranted speculation, combinations and other artful practices and manipulations that may be resorted to for the purpose of forcing the consumer to pay unjust, unreasonable, unfair and extortionate prices for the necessities of life; that said council is created as a war measure whose functions shall cease with the last day of the session of the General Assembly, to be held next after the close of the war, unless otherwise enacted by the General Assembly, and for other purposes.

SECTION 1. Be it enacted by the General Assembly of Georgia, and it is hereby enacted by authority of the same, That the Georgia Council of Defense is herein created and established for the purpose of rendering advice and assistance to the Governor in the performance of all things he may require of them, in bringing about the highest efficiency in the administration of the affairs of this State, and the

greatest effectiveness, during our present national crisis, in the co-ordination of all our State efforts with those of the Federal Government, as well as with those of other States of the Union, whose functions shall cease with the last day of the session of the General Assembly to be held after the close of the war, unless otherwise enacted by the General Assembly, and for other purposes.

SEC. 2. Be it further enacted by authority aforesaid, That said council shall be composed of sixteen members of whom five shall be ex-officio members, to-wit: the Governor, the Commissioner of Commerce and Labor, the State Superintendent of Schools, the Commissioner of Agriculture and the Adjutant-General. The remaining eleven members shall be appointed by the Governor, as follows:

1. One representative of the manufacturing interests of the State.
2. One representative of labor.
3. One representative of the farmers.
4. Two women to co-ordinate all women's activities contemplated by this Act that they may be utilized to the best advantage in conjunction with the other efforts of Georgia in behalf of State welfare and National defense.
5. A minister of the gospel.
6. A physician who shall represent the medical profession.
7. One representative of the bankers.
8. One representative of the railroads.
9. One representative engineer.

10. One citizen of Georgia who shall represent the commercial interests of the State.

SEC. 3. Be it further enacted by authority aforesaid, That the Governor shall be ex-officio a member of all committees of said council, and he shall have the power to remove at any time any appointed member thereof and to fill any vacancy that may occur in said council.

SEC. 4. Be it further enacted by authority aforesaid, That the services of the membership of said council shall be of a patriotic nature, for which no financial compensation shall be provided, but each member thereof shall receive actual traveling expenses and sustenance when in attendance upon the official business and duties of said council, said sums to be paid out only on the warrant of the Governor, and upon an itemized statement verified upon oath of the member.

SEC. 5. Be it further enacted by authority aforesaid, That the members of said council, upon the call of the Governor, shall immediately assemble and forthwith organize by the election of such officers as they may deem necessary and expedient for the efficient discharge of the duties committed to said council; provided, however, the Governor shall be chairman of said council.

SEC. 6. Be it further enacted by authority aforesaid, That said council shall be empowered to employ such expert and clerical assistance or help as it may deem necessary and proper for the full discharge

of its duties, and to fix reasonable compensation therefor.

SEC. 7 Be it further enacted by authority aforesaid, That the Keeper of Public Buildings shall provide suitable office room in the State capitol for said council, and also furnish such necessary office furniture, stationery and supplies as shall be requisitioned by said council or by the Governor. Said council shall also have authority to requisition from the Printing Board such printed supplies and materials as may be needed.

SEC. 8. Be it further enacted by authority aforesaid, That said council shall adopt such rules and regulations as it may deem necessary to carry out the purposes of this Act. It shall have the right to form advisory or other committees outside its membership, and may organize subordinate bodies for its assistance, in each of the counties of the State and appoint committees or agencies for special investigation, either by the employment of experts or by the creation of committees of specially qualified persons, and may form such committees from its own members as may be deemed advisable.

SEC. 9. Be it further enacted by authority aforesaid, That all such committees and bodies shall act under the directions of said council, and report to said council from time to time as said central body may require of them.

SEC. 10. Be it further enacted by authority aforesaid, That said council, after its organization, shall immediately notify the National Council of Defense

of its readiness for co-operation, in every possible manner, looking to the defense of the Nation and the public welfare.

SEC. 11. Be it further enacted by authority aforesaid, That said council, after such communication with said National Council of Defense shall proceed at once to gather, through its committees or otherwise, statistics, facts, information and data, and shall arrange same in systematic and orderly form, for the guidance and use of the Governor in the administration of the affairs of the State, and in formulating such co-operation as he may be able to execute with said National Council of Defense and with similar bodies created in other States, and to make such registration as may be deemed necessary to accomplish the ends herein sought.

SEC. 12. Be it further enacted by authority aforesaid, That said council by itself or through its agents and employees shall have power to make full investigation as to all questions directly or indirectly relating to or bearing upon the purposes referred to in this Act. It shall have power to subpoena witnesses and to require their testimony under oath, and to compel by subpoena duces tecum the production of books, accounts, files, papers and other written or printed documents deemed relevant to any investigation or matter which may be under consideration by such council. Said powers contained in this section are likewise conferred upon sub-committees and other bodies and agents of said council authorized by this Act or to be appointed or created,

when authorized and directed to do so by the Georgia Council of Defense. In case of refusal of any person or corporation to comply with any subpoena issued hereunder, or to testify to any matter requiring which interrogation may be made, such facts shall be made to appear by petition filed with the Judge of the Superior Court of the county in which said witness is required to appear by petition filed in the name of the Georgia Council of Defense, through its agent or attorney, in which petition there shall be set out the facts relative to the issuance of said subpoena, a general summary in substance of the character of the testimony desired or documents produced, and the witness or witnesses and the person or persons or corporation refusing to comply with said subpoena. Upon the filing of said petition, verified by a representative of said Georgia Council of Defense, the said judge shall issue a rule requiring the person or persons or corporation complained of to appear at such time as the judge may designate, and within five (5) days of the filing of said petition, and show cause why said person or corporation should not be held in contempt of the orders of said Georgia Council of Defense. Said petition and rule shall be served upon the respondent at least three (3) days before the date of the hearing, which hearing may be held either at chambers or during term time. Should the respondent fail to appear in response to said order, or to render satisfactory explanation for refusing to comply with the subpoena or order of said Georgia Council of Defense, then said judge may hold said person or cor-

poration to be in contempt of said order, and said Georgia Council of Defense may impose such fine or imprisonment as is now provided by law in cases of contempt of the Superior Court. Said hearing shall be heard before the judge, upon affidavit or upon oral testimony, as the judge hearing the case may direct, and the laws applicable to exception and appeal shall be applicable to said hearing.

SEC. 13. Be it further enacted by the authority aforesaid, That the Georgia Council of Defense, through the Governor, shall make full report of its actings and doings to each session of the General Assembly, and may recommend from time to time such legislation as it may deem necessary and proper in furtherance of the purpose for which said Council of Defense is organized.

SEC. 14. Be it further enacted by authority aforesaid, That said Georgia Council of Defense is hereby authorized and empowered when the necessity arises, which facts shall be determined by a two-thirds vote of the full membership of the said Georgia Council of Defense, to call upon and direct the governing authorities of all counties and municipalities of this State to co-operate with said council in furtherance of its orders and in all investigations directed by said Georgia Council of Defense and to require the co-operation of said county and municipal authorities with said Georgia Council of Defense.

SEC. 15. Be it enacted by the authority aforesaid, That for the purpose of carrying into effect the pro-

visions of this Act and requiring complete and full co-operation of associations and organizations in this State, which are now, or may hereafter be created, for the purpose of carrying on defense work, be and the same are hereby made tributary to and subject to the supervision and direction of said Georgia Council of Defense.

SEC. 16. Be it further enacted by authority aforesaid, That all laws or parts of laws in conflict herewith are hereby repealed.

The substitute was concurred in.

The following House Bill was taken up for a third reading, to-wit:

By Mr. Beall of Richmond—

A bill to provide that all property which is without a lawful owner shall belong to the State, to prescribe the method of escheating the same, and for other purposes.

Upon motion the bill was tabled.

At 6 o'clock P M. the Senate went into executive session.

Upon the dissolution of the executive session, the Senate took a recess until 8 o'clock P M.

SENATE CHAMBER, 8 o'clock P M.

The Senate met pursuant to adjournment and was called to order by the President.

Upon the call of the roll the following Senators answered to their names, to-wit:

Andrews, W. P.	Elders, H. H.	Mills, Joe Brown.
Beauchamp, J. C.	Ficklen, Boyce.	Moore, J. B.
Beck, E. H.	Field, Alonzo.	Odom, J. C.
Blackwell, F. M.	Gilmore, George.	Peacock, D. Roscoe.
Brown, T. A.	Heath, E. V.	Price, H. H.
Bynum, T. L.	Hendricks, W. H.	Redwine, C. D.
Carswell, Geo. H.	Hopkins, H. W.	Riner, M. T.
Council, M. B.	Hullender, W. C.	Skelton, J. H.
Davison, James.	Lumber, R. T., Jr.	Stevens, C. O.
Denny, R. A.	Kirby, J. T.	Townsend, S. C.
Dickerson, R. G.	Leonard, R.	Weaver, W. F.
Dukes, J. P.	Loftin, Frank S.	Wohlwender, Ed.
Dykes, J. R.	Logan, J. B. G.	Yeoman, Sol. J.
Edwards, Chas. H.	Merry, H. H.	Mr. President.

Those absent were:

DeJarnette, H. R.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has passed, as amended, by the requisite constitutional majority the following bill of the Senate, to-wit:

A bill to amend the Constitution of the State, relating to salaries of the Justices of Supreme Court, Judges of the Court of Appeals and Judges of the Superior Courts.

The following Senate bill was taken up for the purpose of acting upon the amendment of the House, to-wit:

By Mr. Hopkins—

A bill to amend Paragraph 1 of Section 12 of Article 6 of the Constitution of Georgia in so far as the same relates to salaries of the Justices of the Su-

preme Court and of the Judges of the Court of Appeals and the Judges of the Superior Court.

The House amends the bill by striking the words and figures "six thousand (\$6,000.00) dollars" wherever they appear and substitute the words and figures "five thousand (\$5,000.00) dollars."

The amendment was concurred in.

The President appointed Mr. Carswell as a member on the part of the Senate, under the provisions of House resolution No. 145, to examine the accounts and vouchers of the Comptroller-General and Treasurer.

The President appointed the following Senators as members of the joint committee, upon the propagation of oysters (House Resolution No. 144), to-wit: Messrs. Townsend, Dukes and Elders.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House agrees to the following Senate amendments to the Appropriation Bill of the House:

Numbers 2, 6, 6a, 9, 9a, 12.

The House disagrees to the following Senate amendments to the Appropriation Bill of the House:

Numbers 3, 4, 5, 7, 10, 11, 13.

The House agrees to the following Senate amendments, as amended by the House, to the Appropriation Bill of the House:

Number 1, 8.

Upon motion of Mr. Carswell the Senate agreed

to the House amendments to Senate amendments Nos. 1 and 8 and insists on its amendments Nos. 3, 4, 5, 7, 10, 11 and 13 to the House Bill No. 161 known as the General Appropriation Bill.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House insists on its disagreement to Senate amendments 3, 4, 5, 7, 10, 11 to the Appropriation Bill of the House.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House asks for a Conference Committee on the following bill of the House, to-wit:

A bill to abolish fee system in Superior Court of Flint Judicial Circuit.

The Speaker has appointed as a committee on part of the House the following Representatives:

Messrs. Barrett of Pike,
Grantland of Spalding,
Taylor of Monroe.

Mr. Carswell moved that the Senate insist on its amendments Nos. 3, 4, 5, 7, 10, 11 and 13 to the bill known as the General Appropriation Bill.

The motion was adopted.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House insists upon its disagreement to Senate

amendments 3, 4, 5, 7, 10, 11, 13 to House Bill 161 known as the General Appropriation Bill and asks for a Conference Committee.

The House has appointed, as a committee on the part of the House, the following members:

Messrs. Burkhalter of Tatttnall,
McCall of Brooks,
Swint of Washington.

Upon motion of Mr. Carswell the Senate agreed to the request of the House for the appointment of a Conference Committee upon the House Bill known as the General Appropriation Bill, and the President appointed the following Senators as members of said committee, to-wit:

Messrs. Weaver, Andrews and Stevens.

Mr. Denny moved that the Senate take from the table the following bill of the House, to-wit:

A bill to repeal certain sections of the Code and to levy and collect a tax for the support of the State Government.

Upon this motion the ayes and nays were ordered and the vote was as follows, to-wit:

Those voting in the affirmative were Messrs.—

Bynum, T. L.	Hopkins, H. W.	Mills, Joe Brown.
Denny, R. A.	Humber, R. T., Jr.	Redwine, C. D.
Dickerson, R. G.	Loftin, Frank S.	Riner, M. T.
Ficklen, Boyce.	Merry, H. H.	

Those voting in the negative were Messrs.—

Beauchamp, J. C.	Council, M. B.	Elders, H. H.
Beck, E. H.	Dukes, J. P.	Field, Alonzo.
Blackwell, F. M.	Dykes, J. R.	Gilmore, George.
Brown, T. A.	Edwards, Chas. H.	Heath, E. V.

Hendricks, W. H.	Odom, J. C.	Stevens, C. O.
Hullender, W. C.	Peacock, D. Roscoe.	Townsend, S. C.
Kirby, J. T.	Price, H. H.	Wohlwender, Ed.
Logan, J. B. G.	Skelton, J. H.	Yeoman, Sol. J.
Moore, J. B.		

Those not voting were Messrs.—

Andrews, W. P.	Davison, James.	Leonard, R.
Carswell, Geo. H.	DeJarnette, H. R.	Weaver, W. F.

Ayes 11, nays 25.

The motion was lost.

Mr. Beauchamp, as one of the members of the Conference Committee upon House Bill No. 374, submitted the following report, to-wit:

Mr. President:

The Conference Committee upon House Bill No. 374, a bill to put the Solicitor-General of the Flint Judicial Circuit upon a salary, agree to the following:

1st. That the Senate recede from its position as set forth in its amendment and accepts the provisions of House bill, with the exception, to-wit: The salary of the Solicitor-General shall be paid by the respective counties in the circuit, on the basis of the property values of the several counties pro rata.

J. C. BEAUCHAMP.

Mr. Redwine moved that the Senate disagree to the report of the Conference Committee and the motion was adopted.

Mr. Beauchamp moved the appointment of a new Conference Committee upon H. B. No. 374 (to fix

salary of Solicitor-General of Flint Judicial Circuit.)

The motion was adopted and the President appointed the following Senators as members of said Conference Committee:

Messrs. Heath, Hopkins and Denny.

The Conference Committee upon the bill known as the General Appropriation Bill submitted the following report:

Mr. President:

Your Committee of Conference report that they have agreed that the House adopt the Senate amendments Nos. 3 and 4 of the House Bill No. 161, and that the committee was unable to agree on Senate amendments Nos. 5, 7, 10, 11 and 13.

W F WEAVER,
WALTER P ANDREWS,
C. O. STEVENS.

Committee on part of the Senate.

Mr. Carswell moved that the committee be discharged and that a new Conference Committee be appointed. The motion was adopted and the President appointed the following Senators as members of said committee, to-wit:

Messrs. Carswell, Skelton and Heath.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

• The Speaker has appointed as a second Confer-

ence Committee on the part of the House, on General Appropriation Bill the following members:

Messrs. Johnson of Bartow,
Lankford of Toombs,
Strickland of Haralson.

Mr. Carswell reported that the Conference Committee was unable to agree with the House Conference Committee upon their differences upon the General Appropriation Bill.

Mr. Carswell moved that the President appoint a new Conference Committee.

The motion was adopted and the President appointed the following Senators as members of said committee, to-wit:

Messrs. Denny, Kirby and Merry.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The Speaker has appointed as a 3rd Conference Committee on the part of the House on General Appropriation Bill the following members:

Messrs. Culpepper of Meriwether,
Ayers of Jackson,
Anderson of Jenkins.

Mr. Denny, Chairman of the Committee on Conference, on part of the Senate, upon the bill known as the General Appropriation Bill, submitted the following report, to-wit:

Mr President:

The Conference Committee on the part of the

Senate and House have agreed on all matters of disagreement in the Appropriation Bill, as follows:

1st. Strike lines 11, 12 and 13 of page 1 of the printed Senate amendment.

2nd. Strike from line 15, page 1, of Senate printed amendment “\$3,000,000,” and insert “\$3,-200,000.”

3rd. Strike lines 24, 25, 26, 27, 28, 29 and 30, page 1 of Senate printed amendment.

4th. Strike lines 58, 59, 60, 61 and 62, page 2 of the printed Senate amendment.

5th. Strike the proposed amendment making bill apply for more or longer than the year 1918.

Respectfully submitted,

R. A. DENNY,

H. H. MERRY,

J. T. KIRBY.

Committee on part of Senate.

N F CULPEPPER,

J S. AYERS,

O. S. ANDERSON,

Committee on part of the House.

Upon motion of Mr. Denny, the report of the committee was adopted.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has adopted the report of the Conference Committee on General Appropriation Bill.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr President:

The House has passed by the requisite constitutional majority the following bills of the Senate, to-wit:

A bill to fix the monthly salary of the clerk in the Pension office.

A bill to amend Section 2792 of the Code of 1910, relative to the validity and record of contracts.

The following resolution was read and adopted, to-wit: .

By Mr. Andrews—

A resolution providing for a joint committee to wait upon His Excellency, the Governor, and inform him that the General Assembly is ready to adjourn sine die.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has agreed to the following resolution of the Senate, to-wit:

A resolution providing for a joint committee to wait upon the Governor and inform him that the General Assembly is ready to adjourn sine die.

The Speaker has appointed the following as members of the committee on part of the House, to-wit:

Messrs. Hall of Bibb,
Mercier and
Johnson of Bartow.

The President appointed Messrs. Andrews and

Hopkins as members of the committee to wait upon the Governor and inform him that the General Assembly is ready to adjourn sine die.

The following resolution was read and adopted, to-wit:

By Mr. Hopkins—

Resolved, That the Senate desires to place upon record its sincere sympathy with the Senator from the 28th District, Mr. DeJarnette, in his recent illness, and to express its regrets upon the loss to the State, at a critical time, of his valuable services.

Mr. Andrews, on the part of the committee to wait upon the Governor and inform him that the General Assembly is ready to adjourn sine die, reported that the committee had performed its duty.

Mr. Hullender, of the 44th District, Chairman of the Committee on Enrollment, submitted the following report:

Mr. President:

Your Committee on Enrollment report as duly enrolled and ready for the signature of the President of the Senate and Speaker of House, the following Acts and Resolutions:

An Act to provide for the execution of interrogatories in vacation.

An Act to amend an Act incorporating the Town of Toombsboro in the County of Wilkinson.

An Act to amend Section 3 of an Act providing for a Normal College at Valdosta.

An Act to prevent any person, firm or corporation from abusing or misusing the flag or National Emblem of the United States.

An Act to provide for supplying the officers of the State with Park's Annotated Reprint of the Code of Georgia.

An Act to provide upon what condition foreign and domestic fraternal benefit societies can issue benefit certificates to persons less than sixteen years of age.

An Act conferring upon banking companies the rights, powers, etc., of trust companies under the Act of General Assembly

An Act to amend Section one of an Act approved December 18, 1901, giving consent by the State to the acquisition by the United States of such lands as may be needed for the establishment of a National Forest Reserve in this State.

An Act to amend an Act establishing a Board of Lights and Waterworks for the City of Marietta.

An Act to amend Section 2818, Article 8, Chapter 2, Volume 1, of the Code of 1910.

An Act for the regulation and control of fraternal benefit societies.

An Act to provide for the establishment and maintenance of an Agricultural District School and Mechanic Arts in the 12th Congressional District of Georgia.

An Act to authorize the County of Banks to construct bridges, piers, etc., by convict labor.

An Act to amend Section 1973, Volume 1, of the

Code of Georgia of 1910, as to the salaries of the State Geologist and Assistants.

An Act to amend the charter of the City of Griffin.

An Act to authorize and empower the City of St. Marys to close certain portions of certain streets in said city.

An Act to create a Board of Commissioners of Roads and Revenues for the County of Oconee.

An Act fixing the time when the State and County tax books shall close.

A resolution setting aside the 20th day of May as the day for contributions for "Stone Mountain Memorial Fund."

An Act to relieve the property of tax-receivers of this State from any lien prior to the execution against them for the payment of any taxes collected by them and for the failure of any official duty.

An Act to provide when the Georgia pensioner shall have the vested right to transfer and assign his annual pension.

An Act to suspend the operation of Sections 415 and 416 of the Penal Code of Georgia with reference to the running of freight and passenger trains on the Sabbath during the present war only.

An Act to authorize the National Banks located in this State to act as trustees, executors, administrators and registrars of stock.

A Resolution to pay the per diem of Hon. A. A. McCurry to his widow.

A Resolution providing that statement be mailed

to each member of the General Assembly showing status of unfinished business.

An Act to divide the County of Franklin into three Commissioners' Districts.

An Act to declare the law of escheats, where a wife or husband, or adopted child entitled as heir, dies intestate, and without ascertainable heirs before receiving possession of the estate.

An Act to amend, consolidate and supersede the several Acts incorporating the City of Cartersville.

An Act to amend Paragraph 2, Section 1, Article 11 of the Constitution of Georgia, so as to create the new County of Treutlen.

An Act to propose to the qualified voters of this State an amendment to Paragraph 2, Section 1, Article 11 of the Constitution of Georgia, so as to create the new County of Atkinson.

An Act to amend Paragraph 2, Section 2, Article 7 of the Constitution of Georgia, so as to permit the exemption from taxation of the endowment of colleges, etc., when the same is not invested in real estate.

An Act to fix the monthly salary of the clerk in the Pension Office.

An Act to create the office of County Treasurer of Tift County

An Act to amend an Act creating the Georgia School of Technology.

An Act to amend an Act creating the Department of Commerce and Labor.

An Act to amend Paragraph 1 of Section 13 of

Article 6 of the Constitution of Georgia in so far as it relates to the salaries of the Justices of the Supreme Court and of the Judges of the Court of Appeals and of the Judges of the Superior Courts.

An Act to amend Section 2792 of Vol. 1 of the Code of Georgia.

An Act to create and establish the Georgia Council of Defense.

Respectfully submitted,
W C. HULLENDER, Chairman.

Mr. Hullender, of the 44th District, Chairman of the Committee on Enrollment, submitted the following report:

Mr. President:

Your Committee on Enrollment report as duly signed by the President of Senate, Speaker of the House and delivered to the Governor the following Acts and Resolutions, to-wit:

An Act to provide for the execution of interrogatories in vacation.

An Act to amend an Act incorporating the Town of Toombsboro in the County of Wilkinson.

An Act to amend Section 3 of an Act providing for a Normal College at Valdosta.

An Act to prevent any person, firm or corporation from abusing or misusing the flag or National Emblem of the United States.

An Act to provide for supplying the officers of the State with Park's Annotated Reprint of the Code of Georgia.

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An Act to provide upon what condition foreign and domestic fraternal benefit societies can issue benefit certificates to persons less than sixteen years of age.

An Act conferring upon banking companies the rights, powers, etc., of trust companies under the Act of the General Assembly.

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An Act fixing the time when the State and County tax books shall close.

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An Act to relieve the property of tax-receivers of this State from any lien prior to the execution against them for the payment of any taxes collected by them and for the failure of any official duty.

An Act to provide when the Georgia pensioner shall have the vested right to transfer and assign his annual pension.

An Act to suspend the operation of Sections 415 and 416 of the Penal Code of Georgia with reference to the running of freight and passenger trains on the Sabbath during the present war only.

An Act to authorize the National Banks located in this State to act as trustees, executors, administrators and registrars of stock.

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A Resolution providing that statement be mailed to each member of the General Assembly showing status of unfinished business.

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An Act to declare the law of escheats where a wife or husband or adopted child entitled as heir

dies intestate and without ascertainable heirs before receiving possession of the estate.

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An Act to amend Paragraph 2, Section 2, Article 7 of the Constitution of Georgia, so as to permit the exemption from taxation of the endowment of colleges, etc., when the same is not invested in real estate.

An Act to fix the monthly salary of the clerk in the Pension office.

An Act to create the office of County Treasurer of Tift County.

An Act to amend an Act creating the Georgia School of Technology.

An Act to amend an Act creating the Department of Commerce and Labor.

An Act to amend Paragraph 1 of Section 13 of Article 6 of the Constitution of Georgia in so far as it relates to the salaries of the Justices of the Supreme Court and of the Judges of the Court of Appeals and of the Judges of the Superior Courts.

An Act to amend Section 2792, Volume 1, of the Code of Georgia of 1910.

An Act to create and establish the Georgia Council of Defense.

Respectfully submitted,

W C. HULLENDER, Chairman.

The following message was received from the House through Mr. Moore, the Clerk thereof:

Mr. President:

The House has adopted the following resolution of the House, to-wit:

A resolution that the General Assembly do now adjourn sine die.

The following House resolution was taken up and concurred in, to-wit:

By Mr. Hall of Bibb—

A resolution providing that the General Assembly do now adjourn sine die.

The President then declared the Senate adjourned sine die.

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TO THE

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